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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 63 NEW YORK, U.S.A., THURSDAY, APRIL 1, 1948 TEN CENTS

TOA ADVISES USING ASCAP CANCELLATION CLAUSE

Exhibitors are advised by Theatre Owners of America to use the cancellation privilege granted by Ascap in new music tax contracts. Cancellation can be exercised by the exhibitor at the end of any contract year of the 10-year agreement upon 60 days' notice in writing to Ascap. The cancellation privilege is not exercisable by Ascap except in case of serious violation of the license terms.

Except for stage show houses, Ascap has agreed to eliminate extra charges for all theatres using occasional live talent.

U.A. GETS 10 FROM POPKIN

Ten pictures with a minimum overall budget of $8,000,000 will be produced by Harry Popkin for United Artists over a four-year period under arrangements approved by the UA board of directors. The board authorized Arthur W. Kelly, executive vice-president, to visit London immediately to conclude production plans started on his previous visit there.

Two-thirds of Patrons Under 35

Film-goers under 35 account for two-thirds of the nation's box-office receipts, according to the first in a series of findings uncovered by a two-year study of motion picture habits by Columbia University's Bureau of Applied Social Research, under the direction of Dr. Paul F. Lazarsfeld and sponsorship of the Association of Screen Magazine Publishers. It was revealed also that while 70 per cent of film-goers under 24 attend pictures at least once a week, only 19 per cent of those over 45 attend with that regularity; some 54 per cent of the older goers attend infrequently or never.

Biggest reason for attending a given film, according to Lazarsfeld, "is either the plot or title of the film." Leaders as "word-of-mouth" advertisers of films, he said, are found among the younger groups; three-fourths are in the age groups under 35.

House ERP Bill Approves Film Dollar Conversion

WASHINGTON, March 31 -- The House today approved the section of the European Recovery Program bill giving the film industry and other information media a guarantee that they will be able to convert into dollars income from approved investments in Marshall Plan countries. By a voice vote, it turned down a motion of Representative Crawford to strike out this guarantee.

Early passage of the bill is hoped for, and it then goes to conference with the Senate, which did not include the guarantee for the information groups. The House bill limits the guarantee to $15 million for the first year for information industries.

E.L.-U.I. to DIVIDE RANK'S PRODUCT HERE EQUALLY

HOLLYWOOD, March 31 - Deal has been set here providing for an equal division of J. Arthur Rank British product between Universal-International and Eagle-Lion, giving each 12 pictures of the first 24 slated for this and the Latin American markets in 1948, it was disclosed today in a joint statement by Nate J. Blumberg, U-I president, Rank, and Arthur Krim, E-L president. Heretofore, U-I had first selection of all Rank product for the U. S.

Typical of the allocations are "Hamlet", going to U-I, and "Oliver Twist", to E-L, both top Rank product. Other key selections give "Christopher Columbus" and "One Night with You" to U-I, and "The Red Shoes" and "The Olympic Games" to E-L.

Rockford Defeats Ticket Tax

ROCKFORD, Ill., March 31 -- After a seven weeks' battle between theatres and the city council the local four per cent amusement tax on theatres was defeated here yesterday. Basis for the decision was a poll by Rockford theatre patrons, who thought the tax discriminatory.

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Personal Mention

JOSEPH HAZEN, president of Hal Wallis productions, left New York for Hollywood yesterday . . . Ned E. Depinet, executive vice-president of RKO Radio, is due from his annual winter vacation at Phoenix in mid-April . . . Charles M. Reagan, vice-president in charge of Paramount distribution returns from a vacation at Phoenix on Tuesday . . . Sidney L. Bernstein, partner of Alfred Hitchcock in Transatlantic Pictures, left New York by plane for London yesterday . . . B. G. Kranze, Film Classics distribution vice-president, has arrived in Memphis en route to Atlanta . . . Frank Soule, Eagle-Lion exchange supervisor, will leave here on Sunday for a cross-country tour . . . Bernice Levy of M-G-M's contract department here will take a leave of absence starting tomorrow . . . Oscar Neu, president of Neumade Products, will leave here tomorrow for a cross-country trip, returning here in June.

WILLIAM J.HEINEMAN, Eagle-Lion distribution vice-president, and Max E. Youngstein, advertising-publicity vice-president, left New York yesterday for Hollywood . . . Ben Schwalb, independent production manager, has returned to the Coast from New York . . . Jules Lapidus, Warner's Eastern sales manager, is in Boston from New York to install F. D. Moore as Eastern district manager . . . CBS board chairman William S. Paley, and Mrs. Paley are the parents of a son.

All W.B. Officers Reelected

At a meeting of Warner Brothers board of directors, held at the home office, officers were all re-elected, as follows: Harry M. Warner, president; vice-presidents Albert and Jack L.Warner, Herman Starr, Stanleigh P. Friedman, Samuel Schneider, Herbert Freston, Ben Kalmenson, Harry M. Kalmine, Mort Blumenstock and Robert W. Perkins; Albert Warner, treasurer; Samuel Carlisle, W. Stewart McDonald and Cyril H.Wilder, assistant treasurers; Robert W.Perkins, secretary and general counsel; Harold S.Bareford, Edward K. Hessberg and Roy Obringer, assistant secretaries; Samuel Carlisle, controller, and Thomas J. Martin, auditor.

Gamble Hits Anti-Industry Columns

Newspaper columnists who have been giving emphasis to sensationalism and unpleasant happenings in Hollywood were assailed by Ted R. Gamble, president of Theatre Owners of America and chairman of its public relations committee, in an address before members of the Association of Screen Magazine Publishers in the Hotel Astor here yesterday. TOA, Gamble said, will endeavor to correct some of the impressions conveyed by "people with stomach aches."

U.S. Aide Here for MPEA Talks

WASHINGTON, March 31--State Department film adviser R. Horton Henry left here today for New York for several days of conferences on the foreign situation with MPEA officials and foreign managers of the various companies. The French situation is expected to get particularly close going-over.

Another Trust Suit Filed

CHICAGO, March 31--Kimbark Theatre, operated by Harry Nepo, today filed a $510,000 anti-trust action in U.S.District Court here against Warner's, Loew's, RKO, Paramount, Columbia, Universal, United Artists, Balaban and Katz and Publix Great States.It charged the defendants conspired with the Manta-Rose circuit to grant clearance priority to the Lex Theatre and from March 1, 1941, to Jan.1, 1948, made it impossible for the plaintiff to book pictures until 73 days after the loop.

Halt Films to British Guiana

The Trinidad Film Board has declared an embargo on further servicing of British Guiana with American pictures as a result of a 15 per cent "discriminatory" tax on gross film rentals imposed there, it was reported here yesterday by Gerald M. Mayer, of the Motion Picture Association of America. The tax takes effect today.

N.C.A. Explains Demand on Para.

MINNEAPOLIS,March 31. -- North Central Allied denies that Ben Berger,president, asked Barney Balaban to remove Ben Blotcky,Paramount manager here, as reported in Motion Picture Daily on March 24."Berger's demand on Balaban,"NCA says,"was that Paramount send an unbiased and impartial representative of the company to investigate the local situation."

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturday Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunnngbam, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative. Washington, J. A. Otten, 814 South Arlington Mill Drive, Arlington, Va. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

"TO THE VICTOR" IS VERY BIG TRADE NEWS!

With national trade showings just completed and public showings to follow immediately, the motion picture industry again is demonstrating how excitingly it can tell a story.....and how spectacularly up-to-the-minute that story can be.

"TO THE VICTOR" is the picture for which stars, cast, director and complete production unit were sent to France.

Warner Bros.

DENNIS MORGAN

AS THE MAN WHO SOLD HIMSELF TO THE HIGHEST BIDDER

VIVECA LINDFORS

THE NEW STAR FROM SWEDEN—1948's MOST IMPORTANT DEBUT!

"TO THE VICTOR"

with VICTOR FRANCEN · BRUCE BENNETT · DOROTHY MALONE · TOM D'ANDREA · Directed by DELMER DAVES · Produced by JERRY WALD · Written by Richard Brooks

WB

ALL

New York is going for... "ALL

BIGGEST EASTER

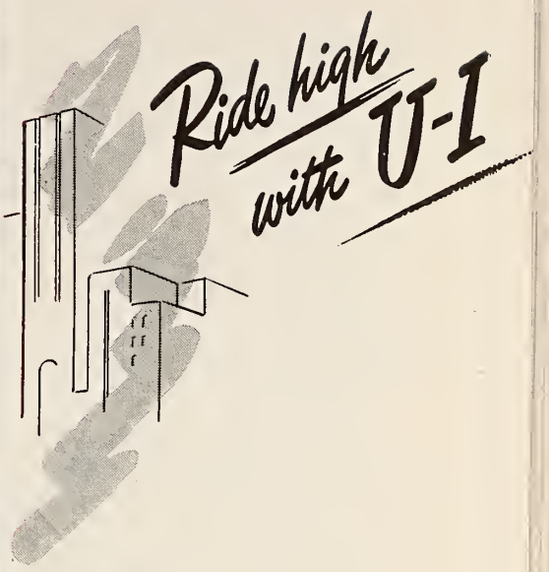
All America will go for "All My Sons"

UNIVERSAL-INTERNATIONAL presents

EDWARD G. ROBINSON
BURT LANCASTER
in
"ALL MY SONS"
with
MADY CHRISTIANS · HOWARD DUFF
LOUISA HORTON · FRANK CONROY
ARLENE FRANCIS · LLOYD GOUGH

A **CHESTER ERSKINE** PRODUCTION
Written and Produced for the Screen by CHESTER ERSKINE · From the Play by ARTHUR MILLER
Directed by IRVING REIS

Universal International



MY SONS!

SUNDAY IN HISTORY OF LOEW'S CRITERION!

...and just as big in Miami,
playing Lincoln and Miami Theatres,
day and date.

Neighborhoods Increase Ads

CHICAGO, March 30 -- For the first time in the history of Chicago newspapers neighborhood theatres are subscribing to as much, and occasionally more, advertising space in the dailies as their downtown competitors. Reason is that under the Jackson Park decree a number of outlying houses can now play films directly after the Loop run on a day-and-date basis, thereby placing them in greater competition with one another than ever before. Some neighborhood houses are running ads of as much as 150 lines, whereas they ran only two or three formerly.

Nothing New, Majors Tell Court

In their quarterly accounting of activities under the U. S. District Court's decree in the Government anti-trust action the five theatre - operating defendants are informing the tribunal that, pending the Supreme Court's decision on the appeal, they have nothing new to add to the report filed on Jan. 1. The current reports to the court are due today; the next reports on July 1.

Lasky Receives Award

PHILADELPHIA, March 31 -- Jesse L. Lasky has been awarded the Allied Jewish Appeal's second humanitarian award for his role in establishing Hollywood as a film center 35 years ago and his contribution to clean, wholesome entertainment. Last year's recipient was Eddie Cantor. Last night Lasky was guest of honor at a banquet sponsored by this city's Golden Slipper Square Club.

Mexico Fears Overseating

MEXICO CITY, March 31 -- Due to a current rash of building this city will have 100 theatres by Oct. 1. Some distributors and exhibitors, contending that theatre saturation is already here, are viewing the continued building with alarm. They cite a 40 per cent drop in grosses during the first quarter of 1948 from that of 1947 to support their contention.

Notice

MOTION PICTURE DAILY'S normal appearance is being affected by a work stoppage in a dispute between the typographical union and the employing printer.

Reviews

"The Noose Hangs High" (Eagle-Lion)

BY THIS TIME, the Bud Abbott and Lou Costello routines are old hat. And with Costello taking more than the usual number of pratfalls, this picture again provides the stuff for which the two zanies have become noted. Their following will not be disappointed. The plot, brewed by seven cook[illegible] strives at farce, with bookies a[illegible] bettors as the subject and the two zanies, of course, as innocent victims. Playing it straight are Joseph Calleia, Leon Errol, Cathy Downs and Mike Mazurki. Charles Barton produced and directed. Lolly Cristillo and Shirley Feld were associate producers. Running time, 77 minutes. General audience classification. Release date not set.

Irving Kaplan

"The Lost One" (Columbia)

COLUMBIA'S version of Verdi's opera, "La Traviata," has been brought magnificently to the screen in "The Lost One." Based on Dumas' play, "Lady of the Camellias," the film was produced in Rome by Gregor Rabinovitch. While all the singing is in Italian, an off-screen voice is used effectively to describe the tale of the blighted love of the consumptive heroine. Should prove a rare treat to opera lovers and discriminating film-goers.

In the leading roles as the lovers are Nelly Corradi and Gino Mattera. Carmine Gallone directed. Running rime, 82 minutes. Adult audience classification. Release date, not set.

Mandel Herbstman

"Tex Granger" (Columbia)

An outdoor action serial in 15 chapters, "Tex Granger" casts Robert Kelland as a two-fisted battler for peace and justice. The first two installments generate sufficient action and excitement. Cast includes: Peggy Stewart, Buzz Henry, Smith Ballew and Duke, the "Wonder Dog." Produced by Sam Katzman and directed by Derwin Abrahams from a screenplay by Arthur Hoerl, Lewis Clay, Harry Fraser and Royal Cole.

Canadian Film Exports Up

OTTAWA, March 31--Canadian film exports increased during February, rising from $133,000 last year to $380,000 this year. Exports totalled $628,000 the first two months of 1948 against $391,000 in the same period last year.

He gives the scene its French accent...

PLAINLY, everything about this scene says Paris—though filmed in a studio far from France.

For the property man has provided the French accent in every eloquent detail, fixing unmistakably the picture's time and place.

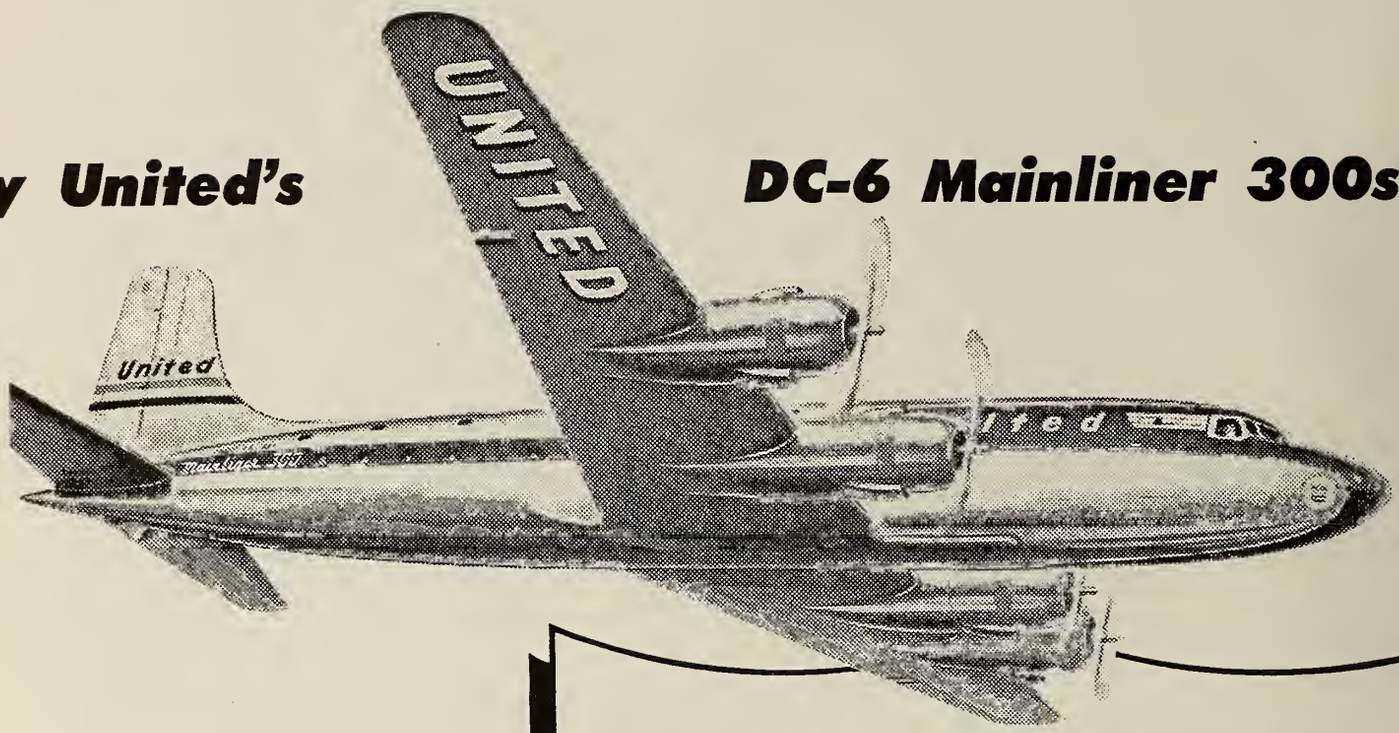
And with equal ingenuity this latter-day Aladdin can bring forth the properties that effectively point up any city, any century . . . can put pioneer or princeling "in his place."

Thus, through him, motion pictures take on atmosphere and color; the realm of make-believe becomes believable. Yet the full effect of his achievement might well be lost except for faithful photographic reproduction. This is provided—in full measure—by the famous family of Eastman motion picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

fly United's DC-6 Mainliner 300s!



leave NEW YORK at noon . . . arrive Los Angeles at 7:50 p.m.

Fly to Hollywood in the world's *finest* airliner — United's DC-6 Mainliner 300!

Board "*the Los Angeles*" at noon, enjoy delicious luncheon and dinner aloft, and arrive in time for an evening's entertainment (at 7:50 p.m.).

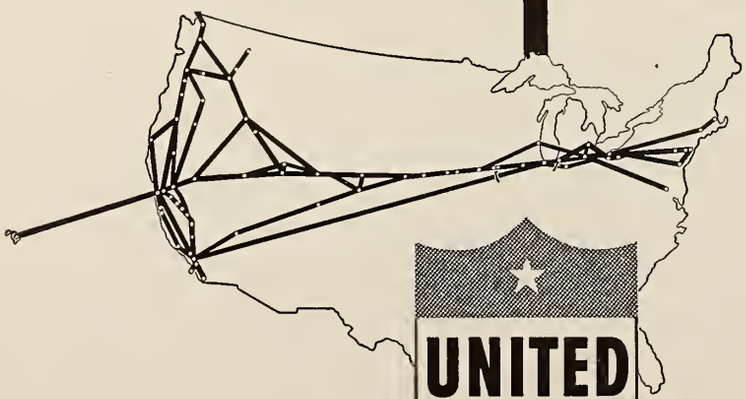
You fly at 300 miles an hour in a beautiful, spacious cabin that's *pressurized* for low-level comfort at high altitudes.

Call now for reservations — for the best trip you've ever had!

Flights operate on standard time.

Faster service to HAWAII!

United's DC-6 Mainliner 300s fly to Hawaii in 9½ hrs. from San Francisco and in 13 hrs. from Los Angeles.



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the Main Line Airway takes you nearly everywhere

UNITED AIR LINES

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 4 NO. 64 NEW YORK, U.S.A., FRIDAY, APRIL 2, 1948 TEN CENTS

MPAA TO AID STATE DEP'T. WITH DOCUMENTARY FILMS

At conferences here yesterday with R. Horton Henry, State Department film adviser, the Motion Picture Association of America pledged full cooperation to the department in bringing to the world the story of America via documentary shorts. Under an agreement among their foreign heads the distributors will handle initially 15 single-reel shorts dealing with various aspects of life in this country.

Thirteen health cartoons prepared for the Government by Walt Disney will be made available by the State Department for distribution by MPAA member companies. Arrangements are being made for distribution of these films in Europe through regular company channels.

Youngstein Heads AMPA

Max E. Youngstein, Eagle-Lion vice-president in charge of advertising-publicity, yesterday was unanimously elected president of Associated Motion Picture Advertisers, succeeding Arnold Stoltz. Rest of new slate includes: David Blum, vice-president; Harry McWilliams, treasurer; Evelyn Koleman, secretary. New officers will serve one year.

Following were elected to the AMPA board: Ray Gallagher, Hap Hadley, Blanche Livingston, Vincent Trotta, Charles Alicoate.

New York Theatres Aid P.A.L.

New York affiliated and independent circuits yesterday pledged financial aid to the Police Athletic League at an ITOA-sponsored luncheon in the Hotel Astor here. Loew's will produce a PAL trailer for use in conjunction with the 1948 fund drive whose goal is $993,000.

Speakers at yesterday's luncheon: Police Commissioner Arthur W. Wallander, License Commissioner Benjamin Fielding, Juvenile Aid Commissioner James Nolan, industry PAL drive chairman Charles Moskowitz, ITOA president Harry Brandt.

KEARNS LABOR GROUP MAY HOLD HEARINGS ON COAST

WASHINGTON, April 1 -- Rep. Carroll D. Kearns today said that so many persons were accused of Communist affiliation during the recent House Labor subcommittee hearings here on the Hollywood strikes, and that so much remained to be developed on possible perjury, that it might be simpler and cheaper for the House unit to go to Los Angeles to take additional testimony there. A final decision may be made early next week, he stated. The hearings are scheduled to reopen here May 17.

20th-Fox Annual Meet May 18

The 20th-Fox annual stockholders' meeting will take place at the company's home office here on May 18. Election of directors will be the sole matter to be taken up. The board members will meet immediately after the session to elect officers. The company's annual report to stockholders has been held up by the printers' work stoppage here.

Ad Council Reelects Schlaifer

Charles Schlaifer has been reelected chairman of the advertising advisory council, Motion Picture Association of America committee which works with Gordon White in the administration of the MPAA Advertising Code.

Krasne To Make 8 For U.A.

Philip N. Krasne (Inter-American Productions) will produce a series of eight "Cisco Kid" pictures for United Artists release. The eight will be made during the next three years.

Neufeld Pictures Formed

HOLLYWOOD, April 1--Sigmund Neufeld and Karl Herzog have announced the formation of Neufeld Pictures to produce for Film Classics release.

Personal Mention

EDWIN W. AARON, M-G-M sales executive, will return to New York from the Coast on Monday . . . Harold Postman, also an M-G-M distribution executive, will return to New York at the weekend from Cincinnati and Indianapolis . . . Sid Blumenstock, 20th-Fox assistant exploitation director, is in Lancaster. . . . George Stevens, RKO Radio producer, has arrived in Hollywood from New York. . .Harry Warner, Warner president, is in New York from the Coast.

MAX YOUNGSTEIN, Eagle-Lion advertising-publicity head, who celebrated a birthday last Monday, has been elected to the New York Academy of Sciences . . . Carl Dreyer, European director, is due here today on the SS Falstria for his first visit to the U. S. . . . William B. Levy, Walt Disney Productions' world-wide sales supervisor, will sail for Europe from New York today . . . Nate J. Blumberg, Universal-International president, is due back in New York April 15 from the Coast.

Fabian Heads U.J.A. Drive

Si Fabian has been appointed chairman of the amusement division for the Greater New York United Jewish Appeal by Barney Balaban, national amusement division chairman. Fabian will be host at a luncheon at the Hotel Astor here next Thursday for the chairman's committee composed of industry leaders to organize the drive in this area.

Max Cohen Cancer Chairman

Max A. Cohen, president of Cinema Circuit, has been named chairman of the motion picture division of the 1948 campaign of the New York City Cancer Committee.

DeMille to House Labor Group

WASHINGTON, April 1-Cecil B. DeMille will arrive here April 5 and will appear before the House Labor Relations Committee on April 7. Later he will attend the annual Gridiron Dinner here.

Biechele Theatre Ceiling Falls

KANSAS CITY, April 1 - Some 30 patrons were struck by falling particles when a portion of R. R. Biechele's Osage Theatre's ceiling fell during a performance.

CBS Seeks Reel for Video

Columbia Broadcasting expects to have a five-times-weekly newsreel on its television network by May 1, William S. Paley, CBS board chairman, disclosed yesterday. While confirming reports that he had been negotiating with United World Films, Universal subsidiary, for rights to the Universal newsreel, he said he doubts if any deal will be reached, and added that CBS is also conducting talks with other newsreel outfits, but he declined to name them.

"U" News Explores Video Field

James Franey, United World Films president, indicated here yesterday that he has been holding informal talks with Columbia Broadcasting officials and others for rights to Universal's newsreel in video broadcasts. He intimated, however, that nothing concrete has emerged from the talks.

"Arch" Premiere U.N.Aid

With tickets priced at $10 and $5, a premiere of Enterprise's "Arch of Triumph" will be held Monday evening, April 19, at the Globe Theatre here, for the beneift of the American Overseas Aid-United Nations Appeal for Children. Spyros P. Skouras is general chairman.

F.C. & B. on Goldwyn Account

Foote, Cone and Belding has again become the advertising agency for Samuel Goldwyn Productions, replacing Donahue and Coe, Inc., resigned last week.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES Oscar HOMOLKA Philip DORN
Produced by HARRIET PARSONS
Music Hall's Great Easter Stage Show

PARAMOUNT MIDNIGHT FEATURE NIGHTLY

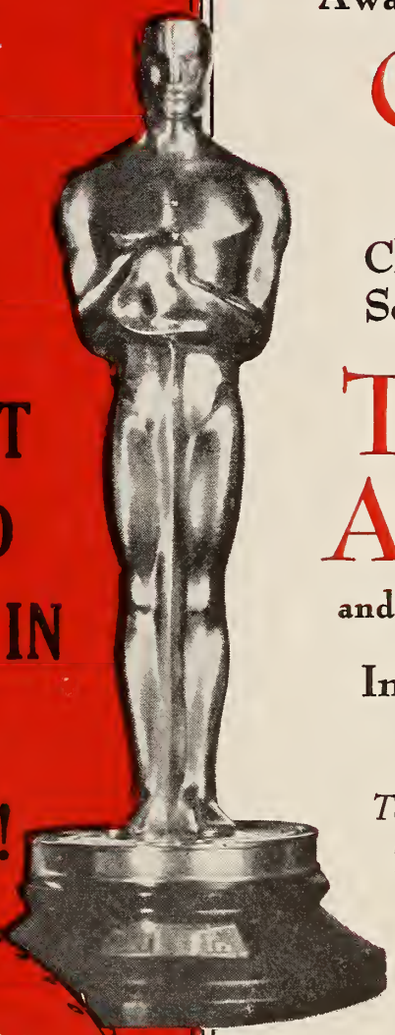
Robert Maureen Clifton
YOUNG • O'HARA • WEBB
"SITTING PRETTY"
A 20th Century-Fox Picture
PLUS ON STAGE—ART MOONEY • BETTY BRUCE
Extra! AL BERNIE
ROXY 7th Ave. & 50th St.

SOL LESSER presents EDGAR RICE BURROUGHS'
Tarzan and the Mermaids
JOHNNY WEISSMULLER • BRENDA JOYCE
and introducing LINDA CHRISTIAN
PALACE B'way & 47th St. • DOORS OPEN 9 A.M. MIDNITE SHOW NITELY

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

A Salute In Honor of All Those Whose Combined Talents Went Into The Production of

THE MOST HONORED PICTURE IN SCREEN HISTORY!



Winner of 51 Individual Awards, Including the New York Critics Circle Award for the Best Picture of the Year,

Gentleman's Agreement

Climaxes the Greatest Acclaim in Screen History by Being Selected

The Academy Award Picture

and Winning 2 Additional Academy Awards!

In gratitude and pride, we extend our warmest congratulations

To Producer DARRYL F. ZANUCK
To Screen Play Writer MOSS HART
To Director ELIA KAZAN
To Author LAURA Z. HOBSON

To the Stars
GREGORY PECK
DOROTHY McGUIRE • JOHN GARFIELD

To the Supporting Players
CELESTE HOLM, ANNE REVERE, JUNE HAVOC, ALBERT DEKKER, JANE WYATT, DEAN STOCKWELL and SAM JAFFE

To All Who Contributed To
THE ACADEMY AWARD PICTURE!

Winner of 3 Academy Awards!
★ ★ ★
BEST PICTURE OF THE YEAR!
★ ★ ★
Best Director
ELIA KAZAN
★ ★ ★
Best Supporting Actress
CELESTE HOLM

20th CENTURY-FOX

Seek Better Publicity Breaks

CHICAGO, April 1 - Publicity heads of major distributors and circuits here have set up a committee in a concerted effort to obtain better cooperation from the Chicago press where spot-news space is concerned. The publicists contend more space is going to night clubs, fly-by-night attractions and legitimate shows in spite of the fact film advertising exceeds that for all other forms of entertainment.

Action is expected to start next week with the committee calling on each paper to discuss the situation in an attempt to get better "breaks" on current and forthcoming product.

Premiere Opens Bond Drive

A premiere showing of Universal-International's "Are You With It," at the Winter Garden Theatre here April 14, will herald the New York State opening of the Treasury Department's Security Loan Drive, which runs nationally from April 15 to June 30. In addition, there will be a stage show. Admission will be by Savings Bonds only.

The New York State quota is $300,000,000 in E, F, and G bonds. In disclosing plans for the show, Philip M. Light, State director of the Treasury Department's bond division, paid tribute to the entertainment industry for getting wholeheartedly behind the campaign.

TOA, MPAA Agree on Campaign

Motion Picture Association of America's advertising-publicity directors committee and Theatre Owners of America's public relations committee have struck up a harmonious working relationship in their mutual endeavor to offset adverse industry publicity with favorable public information, Ted R. Gamble, TOA president said here yesterday. TOA's publicity drive chairman Earl Hudson is currently working with the MPAA group in an endeavor to set a mutually satisfactory number of pictures of all companies to serve as the backbone of the joint public relations effort, Gamble said. MPAA had originally decided on 34 while TOA had expected to back up some 24.

Selznick Sets 1 in Sweden

Daniel T. O'Shea, executive head of the Selznick Studio, has completed arrangements with Harold Molander, production vice-president of the Svensk Film Industry of Sweden to film Henrik Ibsen's "A Doll's House" at the SFI Studios in Stockholm this summer.

Await Rank Reply on Olympics

Discrediting reports that five American newsreels would pay $8,000 each in order to participate in covering the Olympics in England this summer, a spokesman for the U.S. newsreels' committee said American newsreels are still waiting for a report of the outcome of talks in London to which J. Arthur Rank dispatched his attorney, G. I. Woodham-Smith, shortly after their arrival in this country.

The spokesman added that Castleton Knight, general manager of Gaumont British News, has set up an Olympics film company to sell coverage rights, in contravention of international procedure on freedom of information.

N.Y. State Film Job Tests

ALBANY, N.Y., April 1 - Examinations will be held May 22 for the positions of film library supervisor and assistant supervisor, publicity division, New York State Commerce Department, the State Civil Service Commission announces. The positions are under supervision of the head of the State Motion Picture Unit, which distributes films promoting New York State.

Peerless Installs At Consolidated

Peerless Film Processing Corp. has completed equipment installations in the laboratories of Consolidated Film Industries at Fort Lee and Hollywood, it has been announced by Kern Moyse, president of the company.

'Arch' Opens Here April 20

Opening of Enterprise's "Arch of Triumph" at the Globe here has been delayed by United Artists to April 20.

Notice

MOTION PICTURE DAILY'S normal appearance is being affected by a work stoppage in a dispute between the typographical union and the employing printer.

BRITAIN AIMS AT DEVELOPING CONTROL OF FILM INDUSTRY

LONDON, March 31. (By Air Mail)

Clear now to the better informed is a governmental plan for control of the industry.

While Harold Wilson, president of the Board of Trade, has declared more than once, as has Sir Stafford Cripps, Chancellor of the Exchequer, that the Government has no intention of nationalizing the industry, both gentlemen have made it clear beyond peradventure that nationalization or no the Government proposes taking to itself a considerable say-so in the operations of the industry.

One clear indication of the coming control is an investigation into production cost by the National Film Production Council, Mr. Wilson, chairman, which met first March 23.

The State Film Bank, generally regarded as being around the corner and designed to help independents out of their financial difficulties, is another considerable straw in the wind at the moment.

Also to be regarded is the building of the State Studio, to which Mr. Wilson had more or less pledged the Government.

Copyrighted Films Listed

The January-June, 1947, catalog of copyrighted motion pictures was issued this week by the Copyright Office of the Library of Congress. All titles are listed alphabetically and followed by a description of type, production statement, release date, and physical characteristics of the film.

New Production Company

Gregory, Cook & Griffiths, Motion Pictures, Inc., has been formed to produce low-budget pictures. The first to go before the cameras is "Strange Case of Malcolm Craige," on April 18. Ken Cook is president; Robert E. Griffiths, vice-president, and John Gregory, director of production.

Loew's Tests Spanish Titles

Loew's International has begun the testing of Spanish titles in Latin America for MGM pictures. Countries being surveyed are Cuba, Mexico, Colombia, Argentina and Chile.

Granada Profit $312,000

Sidney Bernstein's Granada Theatres, London, has announced a profit of $312,000 for the year ended September 31, 1947. This compares with $272,764 for the 1946 period.

Attacks Hollywood

HANNS EISLER, the Hollywood composer who left the U. S. after a brush with the House Un-American Activities Committee, was talking about Hollywood in Prague last Monday and the Associated Press picked up these samples: "It is now a city in a terrible state of hysteria. Old friends regard each other with suspicion and you don't know whether you can trust your neighbors. People whisper. There are prying eyes. There is conspiracy in the air. Nervous thousands are quite sure the war will start next week or next month."

Insert Local Name

IT'S THE personal touch that does the trick. And it is being applied in the MGM-Liberty film "State of the Union." Katherine Hepburn plays the wife of a presidential candidate. There is one scene where she opens a heap of congratulatory telegrams and reads the names of the senders. Audiences in each exchange center will find the first name familiar since Metro has supplied each of the 32 exchange areas with a 60-foot clip of the scene where Miss Hepburn reads off the name of a personality particularly well known in that area. For New York, Los Angeles and Canada it's "Mad Man" Muntz.

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By MARTIN QUIGLEY, JR.

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". . . the enjoyable opportunity of following in detail the struggles of savants and quacks, of scientists and rogues, and of the thoughtful and the crackpots who, in one way or another contributed to the march of motion picture progress during its pre-history."

From a review by DR. ALFRED N. GOLDSMITH

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It also held for better than average business through the following Monday and Tuesday. This was in spite of very bad weather conditions of sleet, snow and cold.

Audience reaction very good.

Hope you have many more like PANHANDLE coming up."

TERRIFIC

IS THE SHOWMAN'S WORD FOR

"PANHANDLE"

STARRING **ROD CAMERON**

WITH

Cathy Downs • Reed Hadley • Anne Gwynne • Blake Edwards

A CHAMPION PRODUCTION • Produced by JOHN C. CHAMPION and BLAKE EDWARDS • Directed by LESLEY SELANDER

The New Boxoffice Power Is ALLIED ARTISTS!

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 6 NO. 65 NEW YORK, U.S.A., MONDAY, APRIL 5, 1948 TEN CENTS

MARSHALL PLAN AID FOR FILMS

COURTS RUN BUSINESS, SO THEATRE ELECTS A LAWYER

DETROIT, April 4 - Increasing legal problems confronting theatre management due to court and other decrees is given by the La Salle Garden Theatre Co. here as the reason for the election of Everett F. Hayes, Detroit attorney, to the company's board of directors. Hayes also was elected to the board of the Grand Riviera Theatre Co. here.

E. R. Holtz, president-treasurer of La Salle Garden, said: "Clearance and run, once matters of negotiation and buying, now are legal problems. Other theatre operations have been similarly complicated by court actions. I believe this to be a sad state of affairs but, as it exists, this is how we are meeting it."

Expect U.K.Dollar Split-up Formula Within 2 Weeks

Film company foreign managers, who are meeting two and three times a week as a Motion Picture Association of America committee assigned to the administration of such British tax settlement matters as the division among U.S. distributors of income from the settlement's dollar pool, are expected to have ready in about two weeks a formula for consideration by a meeting of company presidents, the MPAA reports.

Lewis Bill Rehearing on April 7

WASHINGTON, April 4. -- The House judiciary subcommittee has tentatively scheduled a meeting for Wednesday morning for reconsideration of the Lewis bill.

DeMille Labor Hearing Postponed

WASHINGTON, April 4. -- The House Labor committee hearing scheduled for Wednesday, at which Cecil B. De Mille was to testify, has been postponed while the committee clears up its current calendar.

MPAA Is "Elated" Over Help to Production, Distribution Abroad

WASHINGTON, April 4 -- The Marshall Plan guarantees to film companies and other information media will provide for convertibility into dollars of production and distribution costs of films shown in Marshall Plan nations.

The bill itself provides for convertibility of income from approved investments in Europe to $15,000,000 the first year. How this would apply to film companies was not clear until House-Senate conferees filed a conference report on the provision. Says the report: "The conference recognizes that the nature of the information media industry is such that in many cases the investment to which the guaranty will apply will have been made in the United States and the product of the investment sold or exhibited abroad. In these cases, the guaranty might well apply to the convertibility of foreign currencies earned by the sale or exhibition of the products of the industry, to the extent of the dollar cost of production wholly attributable to those specific products."

Motion Picture Association of America officials were overjoyed at the language in the report, regarding it as a tremendous step forward in solving the overseas currency problems.

Obviously the provision kills all chances of other plans to aid the frozen funds problem, including those worked on at the State Department. However, State Department and industry officials thought the ERP bill more than adequate. One Government official put it this way: "The Marshall Plan nations have been the chief headache for the industries, and $15,000,000 for the first year is quite enough to keep them operating in those countries."

Personal Mention

ERIC JOHNSTON, MPAA president, is expected Wednesday in Hollywood, where he will be joined by Edward Cheyfitz, his assistant. He plans to be back in New York for the April 12 MPAA board meeting . . . Frank Capra is due in Washington today with his wife . . . . Red Kann observed his 49th birthday Saturday. . . W. K. Craig, M-G-M studio comptroller, is en route to the Coast from New York . . . Pam Blumenthal, chairman of the Cinecolor board, left here for Hollywood yesterday . . . Jay Eisenberg, liaison between the M-G-M sales and legal departments, has left for a Miami vacation . . . Tom Rogers of M-G-M publicity department is in Phoenix . . . J.Robert Rubin, M-G-M vice-president, arrives on the Coast today after an Arizona vacation . . . B. G. Kranze, vice-president of Film Classics, has left Atlanta for New York . . . . Joel Levy, Loew's out-of-town booker, gets back today from a visit to the circuit's Toronto houses . . . Rube Jackter, Columbia assistant general sales manager, is on a Florida vacation . . . Patricia Lambert Burt, former member of M-G-M's Eastern story department, has become the mother of a son, William Griswold Burt, III . . . Maria Jeritza, opera diva, widow of Winfield Sheehan, will be married on April 10 to Irving F. Seery, Newark attorney . . . Phil Reisman, RKO Radio foreign sales head, left Hollywood yesterday by plane for New York . . . David O.Selznick has received American Red Cross honors for providing this year's Red Cross drive trailer . . . . Maurice A. Bergman, U-I Eastern advertising-publicity director, is in a hospital here for a check-up this week. . Ted Gamble left here Friday for Portland, Ore.

"IA" and IBEW Divide Video Jobs

IATSE and International Brotherhood of Electrical Workers will share television jurisdiction about equally in the televising by CBS of part of the stage play "Mr. Roberts" at the Alvin Theatre here tomorrow. The telecast will be one of the "Tonight on Broadway" series.

U-I Will Produce Two in England

CHICAGO, April 4 - Universal-International will produce two films in England during a 12-month period beginning in July, using J. Arthur Rank Organization facilities, Rank disclosed here en route to Rochester, N. Y., where he will be a guest of the Eastman Kodak Co. tomorrow. William Goetz, U-I production head, will go to England this summer to complete preparations, Rank added.

He said no other commitments for studio space had been made to American companies by him.

Dewey Signs Theatre Tax Measure

ALBANY, N. Y., April 4 -- Authority to levy nine taxes, including five per cent on theatre admissions, is given the state's cities of more than 25,000 population and counties, under a bill signed by Gov.Dewey. Since 1947, these levies had been permissive for all counties and cities of more than 100,000 population. Mayors' Conference recommended the extension.

30 Films in Production

HOLLYWOOD, April 4 -- Production activity spurted slightly with the tally standing at 30 at weekend as against 26 last week.

Shooting started on "The Wrangler," Columbia; "No Minor Vices," Enterprise; "Miraculous Journey" (a Sig Neufeld Production), Film Classics; "Dynamite" (Pine-Thomas), Paramount; "That Wonderful Urge," 20th Century-Fox; "Rogue's Regiment," U-I; "My Dream is Yours" (Michael Curtiz Production) and "Silver Lining," Warners.

British Studios Set Layoffs

LONDON, April 4 -- National Studios at Elstree have closed as a result of the collapse of negotiations for a temporary lease to Maurice Ostrer, independent producer. At Shepperton Studios, 225 of the 1,000 employes of London Films have received one week's notice and at Isleworth Studios, 46 of 300 workers will be dismissed.

Montgomery In Theatre Switch

NEW ORLEANS, April 4 - Levere Montgomery has become the new president of the Delta Theatres here and has taken over the Joy from Joy Houcks.

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Reviews

"Homecoming" (M-G-M)

CLARK GABLE'S best since he left the service, "Homecoming" is a strong attraction and also a war film with shot, shell and death much in the foreground. It's the first of its kind in approximately two years. But intelligence in production and direction as well as believability of story and strength of performance by a gilt-edged cast are the ponderables which the exhibitor must weigh. He'll get a full measure and so will his audiences.

Gable is a successful surgeon who finds he has to go through the war to adjust his values to himself as an individual and as a healer for the sick. The war does this, but not alone. Lana Turner, his nurse, is the human and emotional factor who becomes responsible. They fall in love, but she is killed. Gable returns to Anne Baxter, his wife, to pick up the interrupted threads on a different and more useful level with her and his college doctor-friend, John Hodiak.

Mervyn Le Roy's direction is excellent. Sidney A. Franklin produced in association with Gottfried Reinhardt from an original by Sidney Kingsley and a script by Paul Osborn. Running time, 113 minutes. General audience classification. Release date: April.

Red Kann

"Arthur Takes Over"

(Wurtzel--20th Century-Fox)

ALL SORTS of farcical complications develop for a homecoming, small-town girl when she decides to prepare her parents for the knowledge that she is married. A Sol M. Wurtzel production, it proceeds along routine lines, churning up innocent mirth and antics. Despite the handicap of a tepid theme, the characters turn out to be pleasing people. They include Lois Collier, Skip Homeier, Richard Crane, Ann E. Todd and Jerome Cowan.

En route to the finale, the Mauri Grashin screenplay and story has the girl's brother Arthur taking the situation over and steering matters to a happy conclusion. Mal St. Clair directed. Running time, 63 minutes. General audience classification. Release date: May.

Mandel Herbstman

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B & K Garrick to First Run

CHICAGO, April 4 -- United Artists' "Man of Evil" has been booked for a two-week run starting Friday to test first run policy at B & K's Loop Garrick, which has been a third-run, double and single feature policy at reduced admissions. Lower admission scale of 80 cents top will continue.

RKO Radio's "The Farmer's Daughter" will play a repeat engagement in the Loop, opening at the Grand Wednesday for one or possibly two weeks. The film played the Palace here last summer.

Chicago Censors Snipped 31

CHICAGO, April 4--Four foreign-made and one Hollywood picture were placed in adult classifications by the Chicago censor board during the month of March. 118 films were reviewed and 31 cuts made.

Taylor Again Heads Alliance

HOLLYWOOD, April 4 -- Robert Taylor has been reelected president of the Motion Picture Alliance.

"SHOULD SCORE WELL

Starring **WILLIAM EYTHE**

Hazel Court · Margaret Rutherford · Stanley Holloway · Basil Sydney

Produced by MARCEL HELLMAN · Directed by THORNTON FREELAND

IN ALL SITUATIONS!"

—BOXOFFICE

"A smartly handled comedy that will attract audiences!" —FILM DAILY

"Gay and mischievous! Rich satisfaction for filmgoers!" —M.P. DAILY

"An amusing comedy! Played strictly for laughter!" —M.P. HERALD

"Producer Hellman has endowed the picture with good production values!" —HOLLYWOOD REPORTER

Screen Play by Lesley Storm and James Seymour · An Excelsior Film Production · Released by 20th Century-Fox

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12th annual convention, roney plaza hotel, miami beach fla.

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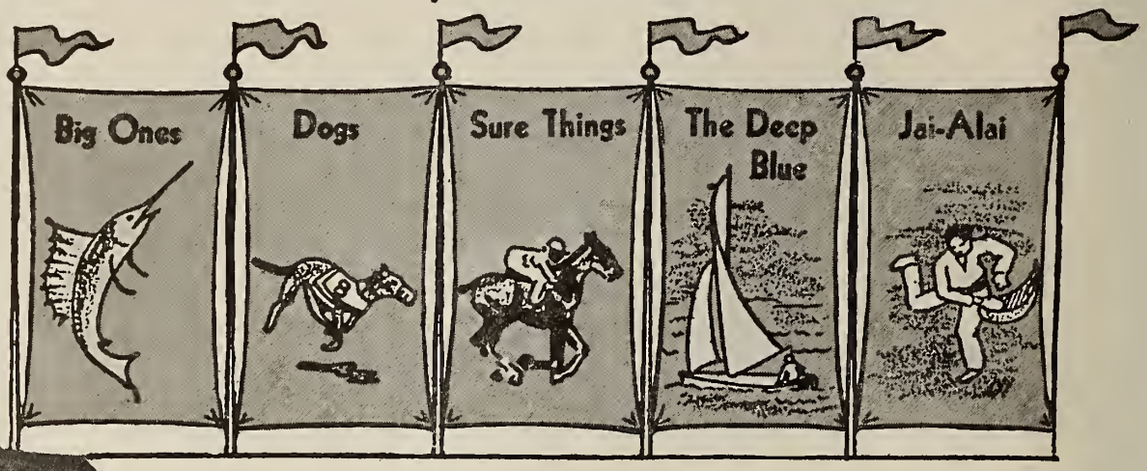

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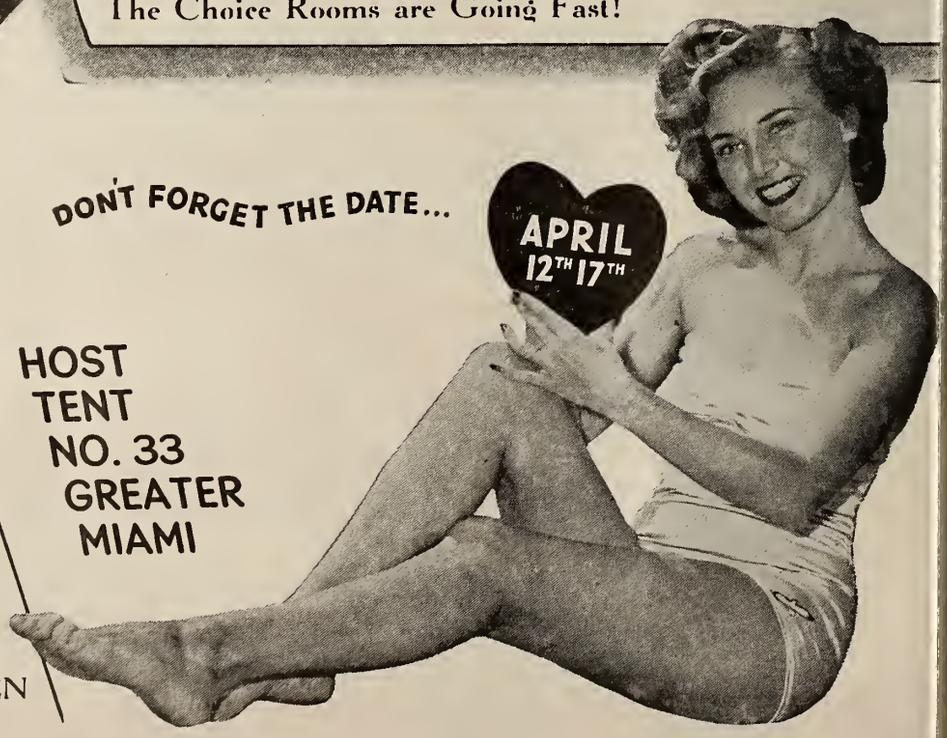

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS)
28 WEST 44TH ST.,
NEW YORK 18,
N. Y.

VOL. 63. NO. 66 NEW YORK, U.S.A., TUESDAY, APRIL 6, 1948 TEN CENTS

TOA to Oppose Daylight Saving Legislation

A. Julian Brylawski, Theatre Owners of America's national legislative committee chairman, and Herman M. Levy, TOA general counsel, will appear before the subcommittee of the U. S. Senate Committee on Interstate and Foreign Commerce on April 13 in opposition to national daylight saving legislation.

AFRA Brief Goes to High Court

WASHINGTON, April 5 -- The American Federation of Radio Artists today told the Supreme Court Cecil B. DeMille had not been deprivedof any constitutional rights by the union's action expelling him for non-payment of a $1 assessment for a 1944 campaign fund, and there was no reason for the high court to review a lower court decision throwing out the producer's suit against AFRA.

Carpenters Ask for Suit Delay

WASHINGTON, April 5 -- Sixteen members of the carpenters' union today asked the Supreme Court to review a lower court decision throwing out their suit charging conspiracy between IATSE and the major studios to deprive them of work they claim rightfully belongs to them.

Phillips Gets MMPTA Post

D. John Phillips, former Paramount short subjects publicity and advertising manager, has been named executive director of the Metropolitan Motion Picture Theatres Association, succeeding Gen. Rodney H. Smith.

J.D. Kalafat, Pioneer Exhibitor

CLEVELAND, April 5 --John D.Kalafat among the earliest of local exhibitors, died suddenly this morning at Mt.Sinai Hospital.

Stassen at Variety Banquet

MIAMI BEACH, Fla., April 5 - Harold E. Stassen will speak on world affairs at the banquet of the Variety Clubs International here April 17.

Industry Public Relations Meet

Industry advertising-publicity directors will meet here today with representatives of Theatre Owners of America to coordinate their industry public relations activities. The joint session was called yesterday by Charles Schlaifer, acting chairman of the Motion Picture Association of America industry public relations committee, following a meeting with Kenneth Clark, MPAA public relations director, here from Washington. Robert Coyne, TOA executive director, and Earl Hudson, handling the TOA campaign, will represent that organization.

Coast Meet on Public Relations

HOLLYWOOD, April 5--The probability exists that Eric Johnston, president of the Motion Picture Association of America, will hold another meeting here with representatives of the Screen Actors Guild, the Screen Directors Guild, the Screen Writers Guild, IATSE and other groups on plans for a Hollywood public relations organization. Nothing tangible came out of Johnston's first meeting with them.

HOWARD HUGHES -R.K.O. DEAL IS STILL IN WORK

Reports that the Floyd Odlum-Howard Hughes deal for the latter's purchase of a controlling stock interest in RKO from Atlas Corp. is ready for closing here lacked confirmation yesterday. Odlum is in New York from the Coast but was not available for comment. Hughes is still in the West. At RKO the status of the deal was reported unchanged.

Einfeld's Mother Dies at 65

Funeral services for Mrs. Celia Einfeld, 65, mother of S. Charles Einfeld, Enterprise president, will be held tomorrow morning at Riverside Memorial Chapel here. Mrs. Einfeld died Sunday at Beth Israel Hospital.

Personal Mention

MILTON S. KUSELL, Selznick Releasing Organization distribution vice-president, is in Hollywood from New York. . Kermit Axelrod has resigned from the RKO Radio foreign publicity staff and has been succeeded by Richard Haestier . . . Jesse L. Lasky returned to New York yesterday from Miami . . . G. L. Carrington, Altec president, and H. M. Bessey, vice-president, are in town from the Coast.

WALTER L. TITUS, JR., Republic division manager, who is in Los Angeles from here, will attend the Variety International convention in Miami before returning to New York . . . Clayton Bond, Sr., Warner head film buyer, has becomea grandfather for the third time when his son, Clayton Bond, Jr., became the father of a daughter . . . Johnny Weissmuller and his wife are among passengers due here today from Europe.

B'way Holiday Week Grosses Strong

True to tradition, Easter Week business was big at Broadway's first-runs this year, and grosses are expected to hold up well during the current week. Easter week and current week figures, in that order, follow:

"I Remember Mama" and Easter stage presentation, Radio City Music Hall, $155,000 third week, $147,000 fourth. "Naked City," plus stage show, Capitol, $117,500, fourth, $105,000, fifth. "Sitting Pretty" with Art Mooney's band on stage, Roxy, $115,000, third, $115,000, fourth. "Saigon," plus Buddy Rich's band, Paramount, split Easter Week with "Road to Rio" to bring $95,000; first for "Saigon" alone looks like $95,000. "Mr. Blandings Builds His Dream House," Astor, $45,000 first, $40,000 second. "April Showers," with Claude Thornhill's band on stage, Strand, $57,000 first, $44,000 second. "The Search," Victoria, $27,000 second (Easter) week. "All My Sons," Criterion, $50,000 first, $38,000 second, "Gentleman's Agreement," Mayfair, $28,000 20th week, $27,000 21st. "Miracle of the Bells," Rivoli, $45,000 second, $30,000 third. "B.F.'s Daughter," Loew's Stage, $32,000 first, $24,000 second. "Man of Evil," Winter Garden, $17,000 first, $11,000 second and final.

Percentage Suits Filed

Suits for alleged fraud in connection with percentage engagements have been filed by major distributors against Mannie Shore, operator of the Grand, War and Pioneer theatres in West Virginia; Lloyd E. Rogers, operator of the Pocahontas, Temple, Palace, Elbert and Rogers, also West Virginia; and Antonio Boscardin; Jean Stone and Elizabeth Knickerbocker of the Colonial Theatre, Conn.

Eight actions by major distributors pending in Toledo, Ohio, against Ellsworth L. Staup, Paul Staup and Capitol Theatres, Inc., have been settled with payment by the defendants of the amount claimed, plaintiffs stated.

Walsh Sees Studio Pick-up

Employment is "picking up" at the Coast studios, IATSE international president Richard F. Walsh said here at the weekend. Hollywood's employment trend, he said, is once more becoming positive.

Tom Connors Incorporates

Tom Connors, former distribution chief of 20th Century-Fox, has filed incorporation papers in Albany, for Tom Connors Associates. He declined to divulge details of plans except to say that the firm would do a "little bit of everything."

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES Oscar HOMOLKA Philip DORN
Produced by HARRIET PARSONS
Music Hall's Great Easter Stage Show

The Adventures of Robin Hood
STARRING ERROL FLYNN
OLIVIA deHAVILLAND
COLOR BY TECHNICOLOR
BASIL RATHBONE-CLAUDE RAINS
WARNER THEATRE 50¢ To 1 P.M. EVERY DAY TAX INC.
B'way 51st • Opens 10:30 AM • Late Midnight Film

ALAN LADD and VERONICA LAKE in "SAIGON" A Paramount Picture
in Person THE MILLS BROS. DEAN MURPHY THE COLSTONS BUDDY RICH and his Orchestra
PARAMOUNT MIDNIGHT FEATURE NIGHTLY

"APRIL SHOWERS"
JACK CARSON ANN SOTHERN
IN PERSON CLAUDE THORNHILL AND HIS ORCH.
Extra! MOREY AMSTERDAM
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

RUSSELL JANNEY'S "THE MIRACLE OF THE BELLS"
starring FRED MacMURRAY Valli FRANK SINATRA
Released by RKO RADIO PICTURES
RIVOLI B'way at 49th St.

SOL LESSER presents EDGAR RICE BURROUGHS'
Tarzan and the Mermaids
JOHNNY WEISSMULLER • BRENDA JOYCE
and introducing LINDA CHRISTIAN
PALACE B'way & 47th St. • DOORS OPEN 9 A.M. MIDNITE SHOW NITELY

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May Postpone M.P.F. Meeting

Second meeting of Motion Picture Foundation's national trustees, tentatively slated for this month in New York, very likely will be postponed to next month because of the National Variety Clubs convention to be held in Miami Beach, April 12-17, MPF headquarters here has indicated.

Video Jurisdictional Dispute

PHILADELPHIA, April 5 -- A labor jurisdictional dispute between IATSE and Station WCAU's CIO-affiliated technicians and cameramen resulted in cancellation of WCAU-TV's telecast of "The Bartered Bride" opera from the Academy of Music here last night. The 'IA' stagehands union refused to work with the CIO workers.

Postpone D.C. Building Rules

WASHINGTON, April 5 -- District of Columbia theatres have succeeded in having postponed until Jan. 1 the effective date for changes in building regulations proposed last summer by the District Building Commission. The changes were to go into effect originally last Thursday.

Canadian Brownout Ended

OTTAWA, April 5--An order restricting the use of electricity for theatre marquees and lobbies in Ontario, in force since last November, has been rescinded.

2 More Tax Cut Bills Filed

WASHINGTON, April 5--Two more bills to cut the admission tax back to the prewar 10 per cent rate have been introduced in the house.

TWA Constellations set new winter performance record

On its coast-to-coast and New York-Chicago routes, TWA's Constellations flew 4,377,000 miles, carried 117,000 passengers—completed 97% of scheduled mileage during one of worst winters in history!

For reservations, call your TWA office or your travel agent

TWA
TRANS WORLD AIRLINE
U.S.A. · EUROPE · AFRICA · ASIA

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MOTION PICTURE DAILY'S normal appearance is being affected by a work stoppage in a dispute between the typographical union and the employing printer.

You'll forget there ever was a woman like Gilda... when you meet The Lady from Shanghai!

COLUMBIA PICTURES presents

Rita HAYWORTH · Orson WELLES

in

The LADY from SHANGHAI

with Everett SLOANE and Glenn ANDERS · Screenplay and Production by Orson WELLES

Reviews

"Berlin Express" (RKO Radio)

AS A documentary-styled spy thriller, "Berlin Express" turns out to be a first-rate melodrama, made all the more enjoyable by superb touches of realism and on-the-spot background photography. However, in attempting to infuse into the story overtones of world security and significance, it becomes impaired by an uneasy dependence on incidents that lack credence.

Scenes of Paris, Berlin and Frankfurt are used to fortunate effect as the Harold Medford screenplay lets loose an absorbing manhunt for a German statesman, kidnapped by a Nazi underground group because he was a vital figure in an Allied plan to unify the country. A cast of splendid performers includes Merle Oberon, Robert Ryan, Charles Korvin and Paul Lukas. Jacques Tourneur has done a creditable job of direction. Bert Granet produced. Running time, 86 minutes. General audience classification. Release in Block 3.

Mandel-Herbstman

"Silent Conflict" (United Artists)

WILLIAM (HOPALONG CASSIDY) BOYD and his saddle pals, Andy Clyde and Rand Brooks, are the intended victims of an herb-peddling swindler in a Western that leans heavily on conversation and offers only a bare minimum of ridin' and shootin'. Swindler Earle Hodgins kidnaps Brooks, fogs up his mind with repeated doses of "herb tea," hypnotizes him into making an attempt on the lives of Boyd and Clyde so he can make away with the trio's money. Lewis Rachmil produced and George Archainbaud directed from a Charles Belden screenplay. Running time, 61 minutes. General audience classification. Release in April.

"Old Los Angeles" (Republic)

LAWLESSNESS in the early California days supplies the material for a lusty and colorful western in which villainy has a Roman holiday.

Joseph Schildkraut heads a gang intent on taking over Lower California. John Carroll is a killer who eventually double-crosses the boss. William Elliott is the one who upsets the evil-doers. Catherine McLeod, Andy Devine and Estelita Rodriquez also are in the cast. Joe Kane served as associate producer and director. Running time, 87 minutes. General audience classification. Release date, April 25. P.E.L.

"Ruthless" (Eagle-Lion)

AN UNUSUAL if not too believable a story with many dramatic moments has been elaborately mounted by Producer Arthur S. Lyons and capably directed by Edgar G. Ulmer from a screenplay by S.K. Lauren and Gordon Kahn. The film's main boxoffice worth rests in the value of its cast names, upon which the exhibitor should be able to capitalize with ease in exploiting.

Based on Dayton Stoddart's novel, "Prelude to Night" and unfolding in a series of flashbacks, the film focuses upon a man's ruthless push toward fame and fortune. Zachary Scott plays an unscrupulous financial operator who ultimately is killed by one of his victims, Sydney Greenstreet. Other players include Diana Lynn, Lucille Bremer, Louis Hayward, Martha Vickers. Running time, 104 minutes. General audience classification. Release date: April 3.

Ontario's Ticket Tax Plan Stands

TORONTO, April 5 - A motion by the two Communist members of the Ontario legislature to shelve the bill for a 20 per cent admission tax whenever the Federal tax is abolished has been rejected by the provincial Assembly by a 68 to two vote.

Security Loan Performance Apr. 14

Donald O'Connor, star of Universal-International's "Are You With It?" will head the all-star show at the Winter Garden Theatre here April 14, launching the New York State drive in the U. S. Treasury's Security Loan. Admission will be by purchase of savings bond and tickets will be available at the Winter Garden starting Wednesday.

Equity Preparing Video Show

Actors' Equity is preparing to offer to prospective sponsors its own "Television Theatre of the Air" program, which has been directed by Bert Lytell. Music Corporation of America is acting as agent and profits will go to the actors' fund.

Video Stations for Midwest

CHICAGO, April 5 - With a $1,000,000 investment for equipment, programs and staff, the Tribune's WGN-TV opened here tonight as the city's second television station.

CINCINNATI, April 5 -- Contract has been signed by Crosley Broadcasting, operators of station WLW here, for telecasting of film recordings of National Broadcasting network video programs.

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MOTION PICTURE DAILY

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VOL. 63. NO. 67 NEW YORK, U. S. A., WEDNESDAY, APRIL 7, 1948 TEN CENTS

Treasury Eyes Appeal Brief In Tax Moves

To Study Paramount Case For Ticket Tax Data

WASHINGTON, April 6.—Treasury economists preparing a study of the admission tax are poring over the briefs submitted by the Government and the companies to the U. S. Supreme Court in the Paramount case, it was learned here today.

"The background of how the industry works is just as important as the cold facts and figures of tax returns," one official said, "and we figured the briefs and record in the Paramount case was as good a place to get the background as any."

Work on the study is progressing slowly, hence it may be two months or more before it is completed.

Foy Quits E-L Post To Form Own Outfit

HOLLYWOOD, April 6.—A new contract under which he will organize his own company, Bryan Foy Pictures, Inc., to make four films annually for three years has been signed by Bryan Foy with E-L. Foy, who will operate on the E-L lot, will relinquish his E-L post of executive producer and will sever all connection with E-L pictures other than his own. No successor to him is expected to be named by the studio.

Arthur B. Krim, president of E-L, will be executive head of the studio, expanding his present supervision to include duties relinquished by Foy.

The Foy organization gives E-L two independent units functioning on the lot, the other being Walter Wanger Pictures.

WB to Distribute Three ABPC Films

LONDON, April 6.—Associated British Pictures Corp. has signed a two-year pact with Warners under which the latter will handle worldwide distribution of three top-bracket films to be financed by ABPC, with Warners supplying director and star.

At the same time, it was learned that Sir Philip Warter, ABPC chairman, has initiated discussions with

(*Continued on page* 5)

PCCITO to Studios For Ban on Stars' Political Activities

SAN FRANCISCO, April 6.—Cooperation of the studios in keeping their stars out of political propaganda films will be sought by the Pacific Coast Conference of Independent Theatre Owners, it was decided here yesterday by the board of trustees at a meeting prior to the opening of the PCCITO annual convention today.

A request recently made to Eric Johnston, MPAA president, for his cooperation in the matter brought a reply to the effect that the stars had a right to the same political action as other citizens.

While the trustees believe that John-

(*Continued on page* 5)

S. G. Lebedoff Files $835,000 Trust Suit

MINNEAPOLIS, April 6.—S. G. Lebedoff's suburban Homewood Theatre today filed a $835,000 anti-trust suit in Federal court here charging distributors with a conspiracy to set runs and clearances in distribution. Defendants are Loew's, Minnesota Amusement Co., Paramount, RKO Radio, 20th-Fox, Universal and Warner Bros.

Lebedoff charges the alleged conspiracy has existed since 1930, has limited his showing of films to 56 days after downtown runs, and since Sept. 1, 1934, has cost him $15,000 annually in profits, a total of $202,500. He puts other damages at $76,000 and asks treble the total amount.

Ascap's Annual Meet In N. Y. Tomorrow

Annual meeting of Ascap will be held here tomorrow at the Waldorf-Astoria. Deems Taylor, president, will preside. Efforts to obtain television rights of Ascap's members, demands of stage show houses for the cancellation of special seat rates and the yearly report of the society will be among matters expected to be discussed at the meeting.

Allege Price-Fix By Ticket Firms

WASHINGTON, April 6—Six trade associations and 37 manufacturers of theatre and other type tickets are charged by the Federal Trade Commission with conspiring to fix prices and eliminate competition.

The Clayton Act complaint declares the defendants control the market.

MPAA Weighs Shift Of Allport to Paris

London, April 6. — Motion Picture Association of America is considering shifting Fayette Allport, its European director, to Paris permanently to oversee the entire European film situation with Frank McCarthy, Paris representative, to be located in London engaged specifically in administration of the *ad valorem* tax agreement.

Rep. Has 40 For Britain

Republic will be ready to release between 30 and 40 pictures in England when the *ad valorem* tax settlement is activated in June, Herbert J. Yates, president, said here yesterday. However, he expects it will be another year before the company will begin to relax its domestic expense-saving program which has effected thus far a $3,000,000 over-all reduction in operating costs.

Yates reported that Republic is aiming at a 25 per cent reduction in production costs.

Yates said he will visit England in about two months to examine investment possibilities provided for sterl-

(*Continued on page* 5)

British Academy to Make Film Awards

LONDON, April 6.—The British Film Academy, similar in intent and design to Hollywood's Academy of Motion Picture Arts and Sciences, has been formed and will announce its first annual awards probably on Friday. Awards will go to the best film from any source shown in the United Kingdom in 1947; to the best British film shown during the year, and there will be a special award, as yet undisclosed.

On the Academy's council are Sir Michael Balcon, chairman; Anthony Asquith, Thorold Dickinson, David Lean, Sir Alexander Korda, Frank Launder, Ronald Neame, Sir Laurence Olivier, Michael Powell and Carol Reed.

Loew May Produce; Declines Comment

The office of Arthur Loew, president of Loew's International, yesterday would neither confirm nor deny reports that he is resigning to produce independently. Loew could not be reached for comment.

TOA, Allied Resume Lewis Bill Fireworks

House Sub-Committee to Review Measure Today

WASHINGTON, April 6.—The Theatre Owners of America today characterized as "groundless, unfair, and without logic," an Allied States charge that TOA's position on the Lewis Bill is dictated "by the selfish interests of affiliated members."

In a statement filed with a House judiciary sub-committee, which tomorrow will reconsider its action killing the bill by a 5-to-1 vote, TOA reiterated its opposition to the bill and said that the issue of affiliated theatres versus independents had no bearing on the merits of the bill but con-

(*Continued on page* 4)

MPAA, TOA Public Relations in Accord

Full cooperation between the public relations programs of the Motion Picture Association and the Theatre Owners of America has been established, Earl Hudson, who is handling the TOA campaign, said here yesterday following a meeting of representatives of both programs.

Hudson said more exploratory meetings will be held during the next several days, and indicated that a mutually satisfactory number of pictures from all companies will be arrived at next week along with methods whereby the pictures will be selected for mutual promotion in the joint endeavor to advance the industry in public esteem.

Asks Fairness in UK Dollar Spending

LONDON, April 6.—A government spokesman in the House of Lords today declared that the recent agreement with the U. S. film industry on the British *ad valorem* tax implicitly provides that any expenditures from unremittable sterling for production should not go beyond the limits of fair competition with the British industry.

He also said that the pact furnishes an incentive for U. S. distributors to get maximum dollar earnings for British films in the American market.

Personal Mention

CHARLES M. REAGAN, Paramount vice-president in charge of distribution, returned to New York yesterday from Coast.

•

HARRY LAMONT, temporary chairman of the Albany unit, Theatre Owners of America, and LEONARD ROSENTHAL, counsel, will be in New York today for TOA conferences.

•

WILLIAM F. RODGERS, M-G-M general sales manager, will be host to trade press representatives at a Hotel Astor luncheon here next Tuesday.

•

ROBERT MOCHRIE, RKO Radio vice-president in charge of distribution, has returned to New York from a brief vacation at Pinehurst, N. C.

•

MAX E. YOUNGSTEIN, Eagle-Lion vice-president in charge of advertising-publicity, has returned to New York from the Coast.

•

EDWARD M. SCHNITZER, U. A. Eastern and Canadian sales manager, and ABE DICKSTEIN, assistant, are on an up-state business trip.

•

WALTER TITUS, JR., of Republic Pictures' home office met with CY DILLON, branch manager at Charlotte this week.

•

RUDY BERGER, M-G-M southern sales manager, is due back in Washington Monday after a Miami vacation.

•

HERMAN BEIERSDORF, Eagle-Lion Western sales manager, is completing a Western and Southern business trip.

•

VINCENT TROTTA, National Screen Service art director here, will address the N. Y. Art Directors Club today.

•

JOCK LAWRENCE of the J. Arthur Rank Organization is due back from the Coast on Thursday.

•

HERBERT J. YATES, Republic president, will leave New York for the Coast on April 18.

•

J. CHEEVER COWDIN, Universal board chairman, has returned to New York from the Coast.

•

E. C. GRAINGER of the Shea Circuit, will return to New York today from a Florida vacation.

•

LOUIS K. ANSELL, producer and theatre operator, is in New York from Hollywood.

•

JACK BERKSON of Screencraft Pictures has returned to New York from Buffalo.

•

INGRID BERGMAN has arrived in New York from Hollywood.

•

KEN ENGLUND, scenarist, is in New York from Hollywood.

•

WILLIAM ROWLAND is in New York from the Coast.

Authors Press for Film Rights Leasing

American writers have voted a self-assessment of one per cent of their annual income over $3,000 to implement a widely-expanded program to obtain, among other things, the leasing rather than sale of film rights to their writings, it was announced here yesterday by Paul Gallico, president of the Authors Guild of the Authors League of America. Assessments will replace annual dues, with Guild members reporting voluntarily on writing incomes.

New program also includes investigation into restrictive activities of the Committee on Un-American Activities, a survey of book publishing, amendment to the Federal copyright law and a study of conditions in publishing which result in authors without large book sales being squeezed out of the market.

"We are preparing to fight for leasing contracts for the stronger motion picture properties where a seller's market is involved," and "on less strong properties, we intend to push for fairer standard clauses," said a Guild Council statement.

Council also will initiate a study of publishing conditions to eliminate any necessity of publisher participation in motion picture rights in any book.

NLRB Favors 'IA' In Amateur Ruling

Robert N. Denham, National Labor Relations Board general counsel, has ruled in favor of union stagehands in their battle to keep from losing employment to amateurs as a result of the Taft-Hartley Act, IATSE headquarters here said yesterday.

The issue grew out of an attempt to substitute boys for members of "IA" Washington Local No. 22, when the Claire Tree Major players shifted their shows in the Capital from the National Theatre to Washington University. Earlier, the Ingrid Bergman "Joan of Lorraine" show had made a similar shift for its premiere, according to the "IA".

Un-American Probe Will Be Resumed

WASHINGTON, April 6.—The House Un-American Activities Committee still plans to go ahead with its investigation of Communist influences in Hollywood, Chairman Thomas announced here today after the committee's first full meeting since his recent illness.

He did not set any specific date, but said the committee "is all ready to go and the results will be just as illuminating as the first time."

Hearings may resume in late summer or early fall.

Rank Back in New York

J. Arthur Rank will return to New York today from Philadelphia where he was guest of honor and principal speaker at the Philadelphia Forum. Except for a three-day visit to White Sulphur Springs in the middle of the month, he will remain in New York until he sails for home on April 22.

Johnston Associate In Top ERP Post

Washington, April 6 — Paul G. Hoffman, Studebaker Corp. president and administrator of the European Recovery Program, is a long-time friend and associate of MPAA president Eric Johnston and is now president of the Committee for Economic Development on whose board Johnston serves.

MPAA Toppers Talk Canadian Filming

OTTAWA, April 6—Francis Harmon, Taylor Mills and Blake Owensmith of the Motion Picture Association of America are here with J. J. Fitzgibbons, president of Famous Players, Toronto, for talks with Trade Minister C. D. Howe on film production in Canada by American companies under the Emergency Foreign Exchange Control Act.

19 More for Odeon This Year Is Plan

TORONTO, April 6.—Odeon Theatres will have 19 new houses operating in key Canadian cities by the year-end, reports J. Earl Lawson, head of Odeon and all other Rank interests in the Dominion. The expansion started last year. All officers and directors of Odeon have been reelected.

End Ticket Tax in U. K. Rural Areas

LONDON, April 6 — Entertainment tax for "live-talent" shows has been reduced, but no cut has been made in the tax for film shows, except in rural areas where the duty has been abolished for halls seating up to 200, Sir Stafford Cripps, Chancellor of the Exchequer desiring to increase entertainment in those places.

Canada to Study Bid To Probe Film Bd.

OTTAWA, April 6.—Premier King today told Parliament that the demand for appointment of a special committee to examine operations of the National Film Board will be considered by the Canadian government.

Lourie To Speak At UJA Luncheon

A luncheon for film and other amusement division leaders will be held at the Hotel Astor, here, tomorrow, in behalf of the division's United Jewish Appeal drive. Featured speaker will be Norman Lourie, president of Palestine Films, who also is an associate of 20th Century-Fox in South Africa and United Artists Palestinian representative.

S. H. Fabian, chairman of the division, has named A. P. Waxman campaign publicity director.

Newsreel Parade

THE tense situation in Berlin, and the signing of the Foreign aid bill by President Truman are current newsreel highlights. Sports, fashions and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 28—U. S.-Britain force Reds to back down on Berlin blockade. President Truman signs Marshall Plan. Mountbatten returns to Burma. Gen. Spaatz retires. Drew Pearson loses and eats a hat. Speaker of House talks on tax reduction. Mrs. Roosevelt in England. Princess Ann prepares for wedding. Gen. Eisenhower meets new grandson. Women's National AAU swim meet.

NEWS OF THE DAY, No. 282—U. S. Army calls Red "bluff" in Berlin. Foreign aid bill signed by President Truman. Navy honors William Randolph Hearst. War vets rally for free Palestine. Trousseau for Princess Ann. Gen. Eisenhower becomes grandpa. Olympic preview.

PARAMOUNT NEWS, No. 65—Foreign aid rushed under new law. Ex-dishwasher buys a town. Canada-U. S. amity hailed at Williamsburg. Mrs. Roosevelt in England. Now it's Grandpop "Ike." Trousseau for a princess. Mountbatten visits Burma. UN appeal for children.

UNIVERSAL NEWS, No. 132—President Truman signs recovery bill. Honorary degrees conferred on Canadian officials. Finish ministers weigh Russian pact. Mountbatten revisits Burma. Gen. Eisenhower greets grandson at West Point. Hurricane winds smash Spanish coast. One-legged skier competes in Austrian meet. French gymnast displays strength and muscular control.

WARNER PATHE NEWS, No. 67—Italy's army warns Reds. Women's national swim meet. Paris shows spring fashions. President Truman signs foreign aid bill. U. S. flies supplies to Berlin. "Aussies" in timber-chopping contest.

S. A. Glixon Heads N. Y. Cinema Lodge

S. Arthur Glixon, attorney-producer of the films "This Is B'nai B'rith," and "There Is So Much To Do," has been elected president of New York's B'nai B'rith Cinema Lodge, succeeding Robert M. Weitman. Installation will take place at a dinner at the Hotel Astor next Wednesday.

Leo Jaffe, Columbia Pictures, has been elected vice-president and treasurer. Vice-presidents reelected are: Maurice Bergman, Universal; S. M. Chartock, producer; Julius M. Collins, Ascap; Bernard Goodman, Warners; Marvin Kirsch, *Radio Daily;* Martin Levine, Brandt Theatres; Milton Livingston, Universal; Louis Novins, Paramount; Robert K Shapiro, Paramount Theatre. Dr. Hyman Chartock, former "This Is The Army," company medico, has been elected secretary; Edward R. Black of the *Journal-American,* sergeant-at-arms, and Rabbis Bernard Birstein and Ralph Silverstein, chaplains.

Television To Carry Savings Bonds Show

Entire stage show preceding the premiere of Universal-International's "Are You With It," to help launch the Treasury's "Security Loan Drive" in New York, will be televised from the Winter Garden Theatre April 14, Philip M. Light, state director of the savings bonds division, announces. The telecast will be over WABD, key outlet of the DuMont network.

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Who's got the pictures? M-G-M's got the pictures! As Hollywood Reporter puts it: "Everything is on the upswing at Culver City." It's electrifying to watch. Look at them! "STATE OF THE UNION", "HOMECOMING", "THE PIRATE", "SUMMER HOLIDAY", "EASTER PARADE", to mention just a few, and with every new Trade Show another Big M-G-M attraction joins the Hit Parade. You said it Mister: "M-G-M GREAT IN '48".

Situation in Spain Worsens, Says U.S.

WASHINGTON, April 6.—Situation for U. S. film companies in Spain has become "increasingly unsatisfactory," according to the Commerce Department. It says cost of import licenses and other expenses have risen considerably, fewer licenses are being granted and so fewer films can be imported that no provision has been made to remit profits to the U. S. Also, taxes have become more severe. Taxes on film company earnings may be as high as 80 per cent today.

Changes in UA Home Office Press Staff

Caswell Adams, who has been handling special events at the United Artists home office publicity department, has been promoted to the metropolitan newspaper desk, replacing Lawrence Beller, who has resigned to join the Motion Picture Association. Lew Barasch moves into the special events post, and Philip Cowan replaces Barasch as trade paper contact, all effective April 19.

Cleveland Exhibitors Lukewarm to M. P. F.

CLEVELAND, April 6.—Because heads of independent circuits in this area see no benefits to their employes from the Motion Picture Foundation, formation of a permanent Cleveland unit is doubtful. Harry H. Goldstein and Bert Lefkowich were named trustee and chairman, respectively, at an organization meeting here.

20th-Fox Employes Awarded Increases

Salary increases of $5 to $10, affecting some 450 20th Century-Fox home office employes, have been granted in an arbitration award, the Screen Office and Professional Employes Guild has announced. The increases are retroactive to September 27, 1947.

Horne Named F. C. Foreign Manager

David Horne, former assistant foreign sales head of Monogram, has joined Film Classics as foreign sales manager, it has been announced by B. G. Kranze, FC general sales manager.

Town Bars 'Bank Night'

VALPARAISO, Ind., April 6.—Bank nights at theatres have been ordered eliminated by Elden Kuehl, new mayor of this city, who has declared war on all forms of gambling.

Studio Employment Off in Jan. and Feb.

Hollywood, April 6.—Studio employment hit a new low in February, according to the California Bureau of Labor Statistics. The index was at 79, compared with 95.3 for February, 1947, and 82.5 for January of this year.

Legion of Decency Classifies 11 Films

Films classified by the Legion of Decency this week include: Class A-I: "Berlin Express," RKO Radio; "The Inside Story," Republic; "13 Lead Soldiers," 20th Century-Fox; in Class A-II: "Another Part of the Forest," Universal-International; "April Showers" and "Winter Meeting," Warners; "Arthur Takes Over," 20th-Fox; "The Lost One (La Traviata)," Columbia; "Miracle in Harlem," Herald; "State of the Union," M-G-M. "Ruthless," Eagle-Lion, was placed in Class B.

Show 'State' for Scribes

WASHINGTON, April 6.—White House newspaper correspondents will sponsor a showing of M-G-M's "State of the Union" Wednesday evening at the Capitol Theatre here. Members of both Senate and House and the President's official family will be guests. Frank Capra, producer of the film, has arrived from the Coast to attend.

Judging QP Awards

Mel Gold, National Screen advertising manager; Paul Ackerman, advertising manager for Paramount International, and Montague Salmon, managing director of the Rivoli Theatre, here, are judges in the first quarter of the Quigley Awards showmanship competition for 1948, results to be announced in the *Motion Picture Herald* on April 17.

Testimonial for Vincent

The industry and the Jewish Theatrical Guild will honor Walter Vincent with a testimonial dinner on May 2 in the Hotel Astor. Eddie Cantor and Si Fabian are co-chairmen; George Jessel will be master-of-ceremonies.

Bell & Howell Record Net

CHICAGO, April 6.—Bell and Howell reports profits of $2,384,125 for 1947 on net sales of $18,083,325, compared with profits of $442,945 in 1946. Last year's sales were reported to be nearly twice those of the previous year.

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Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents.*

CHICAGO

"Fort Apache" will hit a new gross high, with a huge $43,000 or more. Weekend business was good after a weak start with "Saigon" and "Noose Hangs High." Holdovers are satisfactory. Estimated receipts for the week ending April 8:

CASS TIMBERLANE (M-G-M)—WOODS (1,080) 4th week. Gross: $26,000. (Average: $23,000)
FORT APACHE (RKO-Radio)—PALACE (2,500). Gross: $43,000. (Average: $22,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—APOLLO (1,200). Gross: $11,500. (Average: $17,000)
SAIGON (Para.)—CHICAGO (3,900). Gross: $32,000. (Average: $40,000.)
SONG OF LOVE (M-G-M)—MONROE (953). Gross: $19,000. (Average: $12,000)
TARZAN AND THE MERMAIDS (RKO-Radio)—GRAND (1,150) 8 days. **THE FARMER'S DAUGHTER (RKO-Radio)**—One day. Gross: $21,000. (Average: $20,000)
THE NOOSE HANGS HIGH (Eagle Lion)—STATE LAKE (2,700) Stage: Skitch Henderson. Gross: $38,000. (Average: $35,000)
THE SMUGGLERS (Eagle Lion-Rank)—UNITED ARTISTS (1,700) 6 days, 2nd week. **AN IDEAL HUSBAND (20th-Fox)**—One day. Gross: $17,000. (Average: $25,500)
THIS TIME FOR KEEPS (M-G-M)—ORIENTAL (3,300) 2nd week. Gross: $43,000. (Average: $45,000)

CINCINNATI

Although grosses still are spotty, they are somewhat ahead of the previous week. Weather is cool. Estimated receipts for the week ending April 7:

ADVENTURES OF ROBIN HOOD (WB reissue)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 2nd week. Gross: $6,000. (Average: $5,000)
APRIL SHOWERS (WB)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c) 6 days. Gross: $13,000. (Average: $15,000)
B. F.'S DAUGHTER (M-G-M)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c). Gross: $10,000. (Average: $10,000)
I REMEMBER MAMA (RKO Radio)—RKO ALBEE (3,300) (50c-55c-60c-65c-70c-75c). Gross: $19,000. (Average: $15,000)
NAKED CITY (U-I)—KEITH'S (1,500) (50c-55c-60c-65c-75c). Gross: $12,000. (Average: $7,500)
SCUDDA HOO! SCUDDA HAY! (20th-Fox)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Albee. Gross: $5,000. (Average: $5,000)
SITTING PRETTY (20th-Fox)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Palace. Gross: $7,000. (Average: $5,000)

BALTIMORE

Heavy weekend business is giving box offices a boost. With scarcely any "openings" the substantial "send-off" is missing, except that "Naked City" is attracting tremendous crowds for its first week here. Estimated receipts for the week ending April 8:

APRIL SHOWERS (WB)—STANLEY (3,280) (29c-37c-50c-58c) 2nd week. Gross: $8,500. (Average: $14,500)
GENTLEMAN'S AGREEMENT (20th-Fox)—NEW (1,800) (29c-40c-50c-56) 2nd week. Gross: $13,000. (Average: $11,750)
I REMEMBER MAMA (RKO-Radio)—TOWN (1,450) (29c-37c-56c) 2nd week. Gross: $11,500. (Average: $11,000)
NAKED CITY (U-I)—CENTURY (3,000) (29c-37c-45c-54c and 56c weekends). Gross: $18,000. (Average: $14,500)
PHILADELPHIA STORY (M-G-M re-issue)—VALENCIA (1,466) (29c-37c-45c-54c and 56c weekends). Gross: $5,500. (Average: $5,000)
SONG OF MY HEART (Allied Artists)—MAYFAIR (1,000) (21c-29c-54c). Gross: $6,000. (Average: $5,000)
TO THE ENDS OF THE EARTH (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c) 2nd week, with a stage show. Gross: $17,000. (Average: $17,500)
TAWNY PIPIT (U-I)—LITTLE (328) (29c-37c-56c) 2nd week. Gross: $2,750. (Average: $3,000)
UNCONQUERED (Para.)—KEITH'S (2,406) (1st time at regular prices of 25c-37c-44c-54c and 56c weekends) 2nd week. Gross: $12,000. (Average: $12,000)

ATLANTA

Business locally is about average. Weather has been fair and cold. Estimated receipts for the week ending April 7:

AN IDEAL HUSBAND (U-A)—PARAMOUNT (2,446) (12c-50c). Gross: $8,100. (Average: $8,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—ROXY (2,446) (2-week holdover from the Fox) (12c-50c). Gross: $5,800. (Average: $5,800)
MIRACLE OF THE BELLS (Para.)—FOX (4,446) (12c-50c). Gross: $8,000. Only 3 days on account of Grand Opera in theatre. (Average: $14,000)
THE NAKED CITY (U-I)—LOEW'S GRAND (2,446) (14c-55c). Gross: $14,000. (Average: $14,000)

Lewis Bill

(*Continued from page* 1)

stituted intra-industry politics in which "it assumes the committee does not want to take part."

For the record, TOA said, its organization vested supreme power in a 27-man board of directors, of which only seven represented affiliated or partly-affiliated interests. Pointing out that the board elected TOA officers, the TOA statement said three of the officers were independents and only two affiliated.

TOA still feels, it continued, that the Lewis Bill offers no relief for exhibitors, merely changes the collection agency for Ascap, and deprives theatre owners of the right to bargain for themselves.

38 NTS Drive-in Deals

National Theatre Supply reports it closed contracts for equipment for 38 new drive-ins in a recent three-week period.

T. O. A. Incorporates

ALBANY, N. Y., April 6.—Theatre Owners of America has been incorporated here under the membership section of the state corporation law to promote the mutual interests of exhibitors. The incorporation was agreed upon at the recent meeting of the TOA board on the Coast.

'Apache' in Chicago Runs

CHICAGO, April 6.—RKO Radio's "Fort Apache," which is reportedly breaking records in its first week at the Palace with $43,000, will play 20 outlying houses day and date on April 16, three days after close of the "Loop" run.

'Daughter' Back to B'way

RKO Radio's "The Farmer's Daughter," which won Loretta Young the Academy Award for being the best actress in 1947, will start at the RKO Palace, here, on Saturday, to run indefinitely. The picture played originally on Broadway.

PCCITO to Studios

(*Continued from page* 1)

ston may have misinterpreted the PCCITO's purposes, they decided, nevertheless, to take the issue direct to the studios, on the grounds that stars' appearances in political propaganda films are bad for the box office. The trustees reaffirmed the resolution passed at the recent Seattle meeting on the subject of stars appearing in political propaganda films.

Highlights of the convention are expected to be determination of action by PCCITO against Ascap, authorization of an *amicus curiae* brief in the Ben Berger case against Ascap in Minneapolis Federal Court and renewed activity for passage of the Lewis Bill in Congress.

Sees Threat in Trust Suits

Exhibitors must give more attention to the anti-trust suits now being filed against distributors if theatremen are to be in a position to benefit, according to W. Byron Bryant, industry attorney, who addressed today's session.

The suits, he said, are knocking out the foundations of the industry and the very practices upon which it has been built. You cannot change such practices as film buying, bidding, distribution, runs and clearances without having to change your whole *modus operandi*, Bryant said, adding that exhibitors are not ready as yet.

Bryant said that since the success of the Goldman and Jackson Park suits, between 50 and 100 additional private suits have been filed. A serious question, he said, is whether the very number of these suits will cause them all to be thrown out by the courts.

Urges Theatre Modernization

Necessity for theatre modernization and improvement of service were stressed today by Rotus Harvey, head of the ITO of Northern California, in a speech opening the convention. Harvey, convention chairman, said unless exhibitors make their theatres up-to-date they will find new theatres competing.

Harvey said that while on a recent tour of theatres he found "shocking" examples of inadequately-staffed houses, adding that exhibitors as well as Hollywood must better meet public expectations if patronage is to be kept at a high level.

Rep. Has 40 for UK

(*Continued from page* 1)

ing under the tax settlement which he does not look upon as being particularly favorable to the U. S. industry.

Republic stockholders, meeting here yesterday, approved proposed sale of Consolidated Molded Products, wholly-owned subsidiary, for a minimum of $850,000. Yates said there are a number of possible buyers. Whatever is realized on the sale, Yates said, will be used to pay off part of Republic's outstanding $2,950,000 bank loan.

Yates, Richard W. Altschuler, James R. Grainger, Albert W. Lind, and Frederick R. Ryan were reelected directors at yesterday's meeting, following which the directors met and reelected all Republic officers.

Sunset Carson Bankrupt

CHARLOTTE, April 6.—Michael Harrison (Sunset Carson) has filed a petition in bankruptcy in Federal Court here, listing debts of $75,000 and assets of $3,500, including $220 cash.

Reviews

"Fury at Furnace Creek"

(*20th Century-Fox*)

A SOLID plot groundwork of action and excitement was provided Victor Mature for his entry into the super-Western field. As a frontier drama of cavalrymen clashing with Indians, it offers a saleable piece of merchandise with some top-grade production values, having enough pace and adventure to satisfy all audiences, even though the theme is in the standard category.

Turning to history, the film opens with the massacre at Fort Furnace Creek by the Indians. As the son of the Army general accused of giving the orders that resulted in the massacre, Mature sets out to prove his father's innocence. The task of digging up clues among an assortment of villains proceeds against a background of fireworks and gun duels, with the camera catching some scenes of rare visual beauty in between.

Coleen Gray performs pleasantly in her somewhat slender romantic role, while Glenn Langan plays Mature's misunderstanding brother who sometimes becomes excess baggage. A highly efficient performance is contributed by Charles Kemper as the town's amiable incorrigible. Fred Kohlmar's production was directed by Bruce Humberstone, from a Charles G. Booth screenplay suggested by a David Garth story.

Running time, 88 minutes. General audience classification. Release in May.

MANDEL HERBSTMAN

"Winter Meeting"

(*Warner Brothers*)

Hollywood, April 6

STRANGELY assorted story ingredients are put together here in an apparent endeavor to impart the impetus of the unfamiliar in what boils down to a conversation piece. In it Bette Davis, whose followers may relish the fact, does a preponderent share of the talking. The ingredients include sex, religion, sin, regeneration, fame, poetry and love, all dealt with more academically than dramatically, and there is no action beyond that of the players' movement from place to place. It is the first film directed by Broadway's Bretaigne Windust and may owe some of its stageiness to that circumstance.

The players who go along with Miss Davis are James Davis, Janis Paige, Florence Bates, Walter Baldwin and Ransom Sherman, but it is Miss Davis' picture and strictly for her following. Henry Blanke produced from a script by Catherine Turney, based on a novel by Ethel Vance.

Running time, 101 minutes. Adult audience classification. Release date, April.

WILLIAM R. WEAVER

"Hatter's Castle"

(*Paramount*)

WHEN A. J. Cronin wrote "Hatter's Castle," it oozed misery, with characters despicable or weak and its villain inevitably moved toward his dramatic undoing. The British, in trying to capture the depressing atmosphere of the novel, were not quite so successful. The picture, which Paramount has kept "on the shelf" since 1941, may be enjoyed by art-theatre audiences.

Robert Newton stands out as the tyrannical father who ends in self-destruction. Talents of James Mason and Deborah Kerr go largely to waste. Emilyn Williams and Enid Stamp-Taylor give good performances. I. Goldsmith produced, Lance Comfort directed, from Paul Merzbach's and R. Bernaur's screenplay.

Arrogant and brutal Newton refuses to permit his wife, Beatrice Varley, to have a doctor, so daughter Kerr calls doctor Mason. They fall in love, but Newton interferes. Miss Kerr, forced into submission, has an illegitimate child by Williams, clerk in Newton's office. Newton throws her out, he goes broke, and his wife and son die. Blaming his castle-like house for his tragedy, he sets fire to it.

Running time, 99 minutes. Adult audience classification. Released June 18, 1948.

"Close-Up"

(*Marathon—Eagle-Lion*)

AS an experiment to prove the feasibility of film production in New York, "Close-Up" is an object lesson: it can be done, and inexpensively. But this particular subject, produced by Frank Satenstein and directed by Jack Donohue, is no match for Hollywood in production values. The melodrama concerns a Nazi big-shot, Richard Kollmar, who is accidentally photographed by newsreel cameraman Alan Baxter, and the attempt by the former to prevent exposure. Virginia Gilmore, Loring Smith, Phil Huston and Joey Faye also are in the cast.

Running time, 72 minutes. General audience classification. Release date,

IRVING KAPLAN

Would Saddle Radio With FCC Costs

WASHINGTON, April 6—Senator Tobey is considering legislation to require license fees and other payments from broadcasters as part payment of the costs of Federal regulation of the airways.

Daylight Saving For the Capital

WASHINGTON, April 6.—The Senate today voted to authorize District of Columbia commissioners to effect daylight-saving time in the area this year. The bill must still pass the House, but little opposition is expected there.

Hollywood Normal Again

AUGUSTA, Me., April 6.—Maine's most photogenic lobster has been found and shipped to Hollywood by plane to play the part of Jabberwocky in Enterprise's "No Minor Vices." A committee of state officials, including Gov. Horace Hildreth, selected the 4½-pound crustacean from more than a dozen choice contestants for the role.

Byrd Navy Film to MGM

"Secret Land," compiled from Navy films in Technicolor of Admiral Byrd's last South Pole expedition, will be released by M-G-M.

WB-ABPC Pact

(*Continued from page* 1)

Lady Yule with a view to leasing British National Studios, which have been closed.

Meanwhile, a protest by the Association of Cine Technicians against closing of the studios by the Board of Trade and a plea that the studios be kept open by requisition, if necessary, with workers themselves operating production, is believed to have been ignored by Sir Harold Wilson, BOT president. It is understood that Wilson regards requisition as impractical without financing from the government, and that financing awaits action by the National Joint Production Council on Wilson's proposal for a state film bank.

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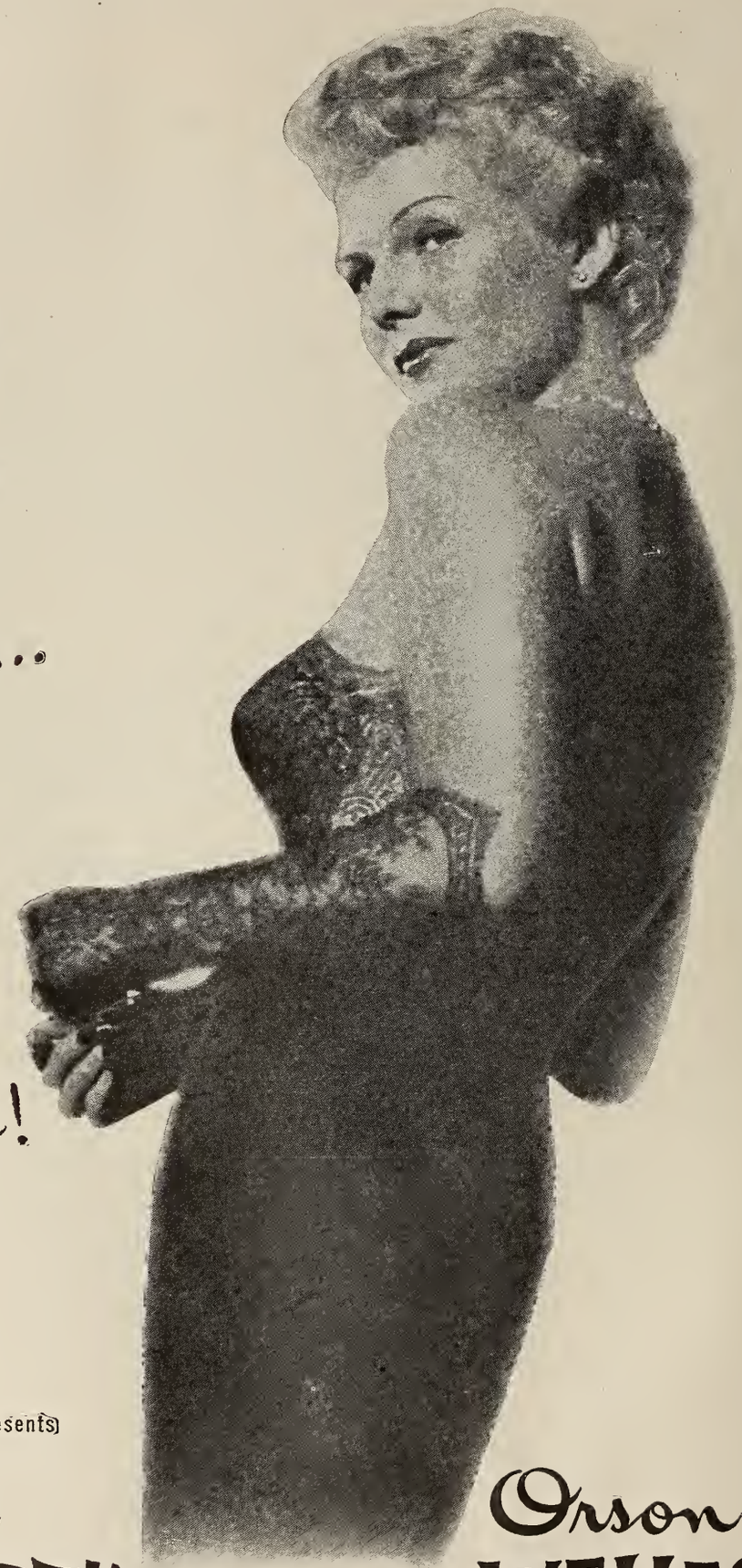

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N. Y.

VOL. 6. NO. 68 NEW YORK, U.S.A., THURSDAY, APRIL 8, 1948 TEN CENTS

Hughes-RKO Deal Reported Near Closing

Odlum Statement Due Today or Tomorrow

Reports that the negotiations for purchase by Howard Hughes of Atlas Corporation's controlling stock interest in RKO are nearing the closing stage were given some official credence here yesterday with the disclosure that Floyd B. Odlum, Atlas president, is expected to issue a statement on the deal either today or tomorrow.

Atlas officials, meanwhile, declined to comment either on the import of the expected statement by Odlum or on the status of the negotiations beyond saying that the forthcoming Atlas statement will provide full "clarification."

Hughes has not come to New York from the Coast yet and this was interpreted by some as an indication that actual closing of the deal is not near at hand. However, Lloyd Wright, Hollywood attorney for Hughes, is in daily contact here with Atlas Corp. and undoubtedly is authorized to close for Hughes if and when an agreement is reached, it is believed. On the other hand, a report from the Coast yesterday claimed that the deal is off.

All 'IA' Officers Up For Reelection

All IATSE officers will be candidates for re-election at the Aug. 16 bi-annual convention in Cleveland, it was disclosed here by Richard F. Walsh, president. They are: Walsh, William P. Raoul, secretary-treasurer; Thomas J. Shea, assistant president; vice-presidents Harland Holm-

(*Continued on page 2*)

Application Flaws Delaying Exports

WASHINGTON, April 7.—Licenses for film exports to Europe are being processed with a minimum time loss, but some delays are due to applications being incorrectly filled out, according to Commerce Department film consultant Nathan D. Golden.

Golden said more common errors are not designating proper Schedule B Classifications, omitting Code Symbol Film-R or failing to show proper quantities of still-picture sensitized film, paper and plates.

'U's' Quarter Net Down to $134,206

Universal's net for the 13 weeks ended January 31 aggregated $134,206, after all charges, including Federal taxes. This compares with $756,543 for the corresponding period of 1946-47.

Britain to Debate Anti-Monopoly Bill

LONDON, April 7.—The Socialist government's Monopoly Control and Inquiry Bill is scheduled for early debate in the House of Commons and may be shaped into yet another scourge for J. Arthur Rank and his associates in vertically-integrated combines.

Communist fellow-travelers are sure to join Socialists in support of the bill and they may be aided by the country's independent exhibitors, normally a sober, conservative congregation. If enacted, the law will set up a Monopoly Commission to investigate and report on monopolies and restrictive arrangements detrimental to the public interest. It will grant powers to the Board of Trade to declare unlawful or prohibit practices found detrimental. The country's film set-up has long been regarded unfavorably by Leftists.

Fischer Is Named Republic Manager

CHICAGO, April 7.—Abe Fischer has been appointed sales manager for Republic in Chicago, by E. L. Walton, distribution vice-president. Fischer, who recently resigned from United Artists here, will also serve as branch manager during William Baker's illness. Walton will return to New York next week.

HOUSE UNIT AGAIN VETOES LEWIS BILL

Enlist Sales, Press In Public Relations

Invitations for distribution and trade press participation in the industry public relations program being advanced by the Theatre Owners of America were extended by Robert Coyne, executive director of the TOA, and Earl Hudson, chairman of the working committee, at a luncheon at the Hotel Astor here yesterday.

The program will be coordinated with public relations activities of the Motion Picture Association, its Public Information Committee and with organizations and committees active or to be established in Hollywood. Tentative plans as set forth recently by Ted R. Gamble, TOA president, were presented at the luncheon-meeting yesterday and criticisms and suggestions were made by distribution executives and trade paper publishers and editors present.

Hudson and Coyne emphasized that

(*Continued on page 2*)

Ascap Plans Parleys With Stage Houses

Ascap, it is understood, will call another meeting here with representatives of the stage show houses for further discussion of the theatres' refusal to pay 500 per cent in extra charges for the use of music in the society's catalogue.

Ascap's annual banquet will be held in the Waldorf-Astoria, here, tonight, winding up the society's yearly membership meeting, which will get under way in the afternoon. Deems Taylor, Ascap president, will be toastmaster.

Vote Is 3 to 2; Lewis Predicts Enactment of Similar Bill Eventually

WASHINGTON, April 7. — A House judiciary sub-committee today voted 3-to-2 against the Lewis Bill, designed to force producers to acquire from Ascap public performing rights to music for films.

The committee was reconsidering an earlier action by which the bill was defeated 5-to-1. Voting with Chairman Lewis in favor of the bill was Rep. Lane, who earlier voted against it. Opposed were Reps. Keating, Walter and Bryson.

Though action by the full committee on a bill adversely reported by the sub-committee is unusual and unlikely, there is a slim possibility that this may happen, since committee Chairman Michener is reported favoring the measure.

Lewis said, however, that "it seems foolish to ask for full committee action in view of the adverse report." He indicated that he did not favor such a step, but said that although the bill is apparently dead for this ses-

(*Continued on page 2*)

Postpone Meeting Of MPAA Directors

Motion Picture Association of America board of directors meeting, scheduled to be held here on Monday, has been postponed to the latter part of next week. Meeting has been delayed, it was said, because the MPAA committee of film company foreign executives who have been endeavoring to arrive at a formula for the British tax settlement dollar pool split, is not expected to complete its conclusions by Monday.

Johnston Reports To Coast on Tax

HOLLYWOOD, April 7.—Eric Johnston, Motion Picture Association of America president, who arrived here today, will meet studio executives tomorrow to report details of the British *ad valorem* pact settlement. He will confer Thursday evening with representatives of talent guilds and unions on their progress in planning a cross-industry public relations organization, and on Friday he will meet the press for a luncheon-conference.

N. Y. C. Bill Proposes New Film, Ad Censor Powers

New York City License Commissioner Benjamin Fielding turned thumbs down yesterday on a proposed ordinance which would give him broadened censorship powers over motion pictures, plays and all advertising relating to them.

However, although Fielding has indicated strong opposition to the measure on the ground that "there is sufficient statutory authority now," Councilman Edward A. Cunningham on Tuesday will ask the City Council to pass his bill to enable Fielding to "take immediate and proper steps in ridding this city of all offensive titles and advertising."

Cunningham is reported to have said that other councilmen have assured him that "speedy action will be taken for immediate passage" of the bill. It provides that License Department inspectors investigate performances and related advertising and report on any offense "against morality, decency or public welfare."

Put Off Ascap Suit, Coast ITO Is Urged

SAN FRANCISCO, April 7.—Recommendation that the Pacific Coast Conference of Independent Theatre Owners withhold further action on its contemplated suit to test the legality of Ascap's collection of music licensing fees was advanced today by Robert Graham, PCCITO attorney, at the annual convention here. The PCCITO is expected to approve the proposal.

It is regarded as likely that PCCITO will proceed with its suit only if legislative attempts, such as the Lewis Bill to force producers to negotiate directly with Ascap, fail and if judicial decisions, such as the Ascap suit against Ben Berger in Minneapolis and by the New York ITOA against Ascap, are adverse. The convention also is expected to re-affirm its support of the Lewis Bill.

DuMont Aide Reports Coast Video Subpar

Television programs in the Los Angeles area are not yet of a quality necessary for a stable market for receivers, says Ernest A. Marx, general manager of DuMont's television receiver division, who has returned to New York from the Coast. Additional stations are needed, he observed and predicted that "probably by fall" the Los Angeles area may be established as an important television market.

Armstrong Asks High Power Video Permit

WASHINGTON, April 7.—Edwin H. Armstrong, FM inventor, has applied to the Federal Communications Commission for a construction permit for an experimental television station in Alpine, N. J., to develop a new high power transmission television system.

Open N. Orleans Quarters

NEW ORLEANS, April 7.—Inspection Service Corp. has opened new quarters here with Film Classics and Selznick Releasing Organization as its clients. Several independent exchanges will follow. Dan Brandon operates the plant and Mrs. Jack Auslet, formerly of Dixie Films, is office manager. The company is a subsidiary of Transway.

Wald Deal Runs to '52

HOLLYWOOD, April 7.—Contrary to reports that Jerry Wald of Warner's producing staff is going into independent production or is making other deals, the studio announces that Wald is under exclusive contract to Warners until April, 1952.

Lewis Bill Vetoed

(*Continued from page* 1)

sion, he believes the principle is right "and that this or something similar will eventually be the law."

Opponents said they voted it down because it seemed to be entirely an intra-industry fight, there is little time for Congress to act this session, and because of a reluctance to upset a prevailing method of contract.

Personal Mention

NATE J. BLUMBERG, Universal president, will return to New York from the Coast at the weekend.

•

ED HINCHY, head of Warner's home office playdate department, left for New Haven yesterday, will go to Boston today, and return to New York tomorrow.

•

GREGOR RABINOVITCH, Columbia producer, left aboard the *S.S. Queen Mary* for Europe yesterday, where he will begin preparations for his next, "Faust," to be made in Italy.

•

BEN KALMENSON, Warner distribution vice-president, and NORMAN AYRES, Southern division manager, left here yesterday for Philadelphia and Washington.

•

JOE FELDER, Favorite Films vice-president, has become a grandfather, DONNA SUE having been born to his daughter, MRS. IRVING KLEIN, in Detroit.

•

CARL DREYER, Danish director, will leave here for Hollywood next week, returning to New York shortly for the premiere of his "Day of Wrath."

•

BUDD ROGERS, distribution vice-president of Realart, and JOSEPH HARRIS, board chairman, have returned to New York from Midwest sales meetings.

•

DAN BRANDON of Transway, New Orleans, is the father of a daughter, DIANNE.

•

W. A. PREWITT, JR., of Associated Theatres, New Orleans, is now a colonel in the local Civic Air Patrol.

•

NAT LIEBESKIND will sail tomorrow on the *S.S. Argentina* for Buenos Aires, returning in two months.

•

A. A. WARD, Altec vice-president, is in New York from Hollywood.

LEON J. BAMBERGER, RKO Radio sales promotion manager, will address the annual convention of the Independent Theatre Owners of Arkansas in Little Rock on May 4.

•

BETTY BLUFFSTONE has resigned as Columbia assistant booker in Cleveland to become head booker for Film Classics there, succeeding DAVID GAFFNEY, who resigned to manage HERBERT OCHS' Ft. Wayne, Ind., drive-in.

•

CHATHAM STRODE, British author and playwright, who has been at the M-G-M studios on a writing assignment, will leave Hollywood with his wife on April 23 and sail April 29 on the *Queen Elizabeth* for London.

•

CLEMENT S. CRYSTAL, Parmount International theatre department head, is back from Lima, Peru, where he attended the opening of Paramount's Tacna Theatre.

•

H. D. HEARN of Exhibitors Service, Charlotte, who recently purchased the New Theatre, Black Mountain, N. C., from A. J. TERRELL, is hospitalized in Charlotte.

•

OSCAR MORGAN, Paramount short subjects sales manager, met in Charlotte this week with HENRY HASS, branch manager, and the sales staff there.

•

R. A. MCNEIL, former partner in Golden State Theatres of San Francisco, will sail from New York on a South American cruise tomorrow.

•

PAUL WILSON, 20th Century-Fox Southern district manager, is in Charlotte, for conferences with HI HOLSTON, branch manager.

•

HARRY RAPF, M-G-M producer, and his wife will leave the Coast April 15 for New York.

Public Relations

(*Continued from page* 1)

the campaign is not being undertaken as a TOA endeavor, that it was urged upon the organization by exhibitors at the recent TOA meeting in Los Angeles as an immediate need for counteracting an accumulation of adverse publicity concerning the industry, its product and its people that has affected theatre attendance throughout the country. The program, they said, requires the cooperation of all industry members and its aim is to benefit the entire industry.

Speakers at the meeting included Leonard Goldenson, William R. Rodgers, Robert Mochrie, Mort Blumenstock, Harry Goldberg, A. W. Smith, Jr., Chester Bahn, James Jerauld, Sherwin Kane, Red Kann, Ben Shlyen and Mort Sunshine.

Warner Signs Edelman

HOLLYWOOD, April 7. — Louis F. Edelman has been given a producer's contract by Jack L. Warner, WB production vice-president.

Mo. Solons Recess; No Adverse Bills

WASHINGTON, April 7.—Missouri's legislature has recessed until December 1. Only six legislatures are still in session, according to MPAA legislative representative Jack Bryson. No legislation harmful to the industry was offered in Missouri.

Louisiana's legislature opens May 10, with no indication so far of any anti-industry bills.

Senate Confirms Hoffman

WASHINGTON, April 7.—The Senate today confirmed Paul G. Hoffman to administer the European Recovery Program. Hoffman is a friend and associate of Eric Johnston, MPAA president.

Capital Power Shortage

WASHINGTON, April 7.—Theatre owners in the Capitol district face drastic power curbs if the coal strike continues much longer. Some restrictions may be even more severe than during the war, it is said.

Proponents of Films Win in Sioux Center

SIOUX CENTER, Ia., April 7.—Apparently this town of 2,000 has changed its mind about the film ban voted last January, with a new City Council of five, three of whom favor motion pictures, having been elected without opposition, after the Ministerial Association and others opposing films were unable to organize a slate.

End of Ban Brings No New Ill. Theatres

CHICAGO, April 7.—Current theatre construction in Chicago and downstate Illinois is confined to three drive-ins. The city construction permit board reports that no applications have been received for new theatre buildings since the Federal curb was lifted last week.

All Amusements In Rockford Are Taxed

CHICAGO, April 7.—Three per cent tax on all amusements has been approved by the City Council in Rockford, after a four per cent tax on theatres only was defeated on the grounds it was discriminatory.

Seek Gangster Film Ban in Columbus, O.

COLUMBUS, O., April 7. — Local mothers are seeking enactment of an ordinance to prevent children from seeing gangster films and also reinstatement of a 10 P. M. curfew for children to reduce delinquency.

Directors Guild and AMPP In Pact Talks

HOLLYWOOD, April 7.—Screen Directors Guild and the Association of Motion Picture Producers today opened negotiations for a new contract. Discussions, which are expected to continue for several weeks, are understood to be concerned principally with working conditions. Another meeting will be held tomorrow.

'IA' Elections

(*Continued from page* 1)

den, William P. Covert, Floyd M. Billingsley, James J. Brennan, Roger M. Kennedy, Felix D. Snow, Carl G. Cooper, William C. Barrett, Louise Wright; trustees R. E. Morris, George W. Brayfield, William C. Scanlan.

Also, American Federation of Labor convention delegates Eugene Atkinson and Thomas V. Green, and delegate to the Trades and Labor Congress of Canada D. B. MacKenzie.

To date, no opposition candidates have been announced.

Sues Union Over 'Card'

HOLLYWOOD, April 7.—Cameraman Curtis Courant has filed a Federal Court suit asking $975,000 from IATSE Local No. 659, asserting the union declines to accept him as a top cameraman despite 28 years in European production and on three pictures filmed here with a union member standing by.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

WARNER BROS.' TRADE SHOW April 19th

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CITY	PLACE OF SHOWING	ADDRESS	TIME
Albany	Warner Screening Room	79 N. Pearl St.	8:00 P.M.
Atlanta	20th Century-Fox Sc. Rm.	197 Walton St. N.W.	2:30 P.M.
Boston	RKO Screening Room	122 Arlington St.	2:30 P.M.
Buffalo	Paramount Sc. Room	464 Franklin Street	2:00 P.M.
Charlotte	20th Century-Fox Sc. Rm.	308 S. Church St.	10:00 A.M.
Chicago	Warner Screening Room	1307 So. Wabash Ave.	1:30 P.M.
Cincinnati	RKO Screening Room	Palace Th. Bldg. E. 6th	8:00 P.M.
Cleveland	Warner Screening Room	2300 Payne Ave.	2:00 P.M.
Dallas	20th Century-Fox Sc. Rm.	1803 Wood St.	10:00 A.M.
Denver	Paramount Sc. Room	2100 Stout St.	2:00 P.M.
Des Moines	20th Century-Fox Sc. Rm.	1300 High St.	12:45 P.M.
Detroit	Film Exchange Bldg.	2310 Cass Ave.	2:00 P.M.
Indianapolis	Universal Sc. Room	517 No. Illinois St.	1:00 P.M.
Kansas City	20th Century-Fox Sc. Rm.	1720 Wyandotte St.	1:30 P.M.
Los Angeles	Warner Screening Room	2025 S. Vermont Ave.	2:00 P.M.
& Boston, Tuesday, April 20th			

CITY	PLACE OF SHOWING	ADDRESS	TIME
Memphis	20th Century-Fox Sc. Rm.	151 Vance Ave.	10:00 A.M.
Milwaukee	Warner Th. Sc. Rm.	212 W. Wisconsin Ave.	2:00 P.M.
Minneapolis	Warner Screening Room	1000 Currie Ave.	2:00 P.M.
New Haven	Warner Th. Proj. Rm.	70 College St.	2:00 P.M.
New Orleans	20th Century-Fox Sc. Rm.	200 S. Liberty St.	1:30 P.M.
New York	Home Office	321 W. 44th St.	2:30 P.M.
Oklahoma	20th Century-Fox Sc. Rm.	10 North Lee St.	1:30 P.M.
Omaha	20th Century-Fox Sc. Rm.	1502 Davenport St.	1:00 P.M.
Philadelphia	Warner Screening Room	230 No. 13th St.	2:30 P.M.
Pittsburgh	20th Century-Fox Sc. Rm.	1715 Blvd. of Allies	1:30 P.M.
Portland	Jewel Box Sc. Room	1947 N.W. Kearney St.	2:00 P.M.
Salt Lake	20th Century-Fox Sc. Rm.	216 East 1st South	2:00 P.M.
San Francisco	Republic Sc. Room	221 Golden Gate Ave.	1:30 P.M.
Seattle	Jewel Box Sc. Room	2318 Second Ave.	10:30 A.M.
St. Louis	S'renco Sc. Room	3143 Olive St.	1:00 P.M.
Washington	Earle Th. Bldg.	13th & E Sts. N.W.	10:30 A.M.

Directed by PETER GODFREY with AGNES MOOREHEAD · JOHN EMERY Produced by HENRY BLANKE

Screen Play by Stephen Morehouse Avery • Based on the Famous Novel "The Woman in White" by Wilkie Collins • Music by Max Steiner

Paramount's

New Watchword Is

"WATCH THAT CLOCK"

In every time zone — Eastern, Central, Mountain, Pacific—it will strike soon with spectacular box-office precision. Already its breath-taking suspense has brought breath-taking results in its first 2 dates:

FIRST FOUR DAYS DREW BEST NON-HOLIDAY BUSINESS IN PAST YEAR AT THE MICHIGAN, DETROIT!

FIRST THREE DAYS* 250% OF STRONG "DEAR RUTH" GROSS† AT SAN FRANCISCO'S ST. FRANCIS

**Including holiday, Sat. & Sun. †Including Sat.*

And every hour brings more praise for

RAY MILLAND · CHARLES LAUGHTON

in

"THE BIG CLOCK"

with

Maureen O'Sullivan · George Macready

Rita Johnson · Elsa Lanchester · Harold Vermilyea

Produced by Richard Maibaum · Directed by JOHN FARROW

Screen Play by Jonathan Latimer • Based on the Novel by Kenneth Fearing

11

Showmen's Trade Review says: "Milland's best since 'The Lost Weekend'."

12

Variety says: "One of the sure successes of the year."

1

Radio's "The Fat Man" says: "One of greatest suspense movies ever produced."

2

Radio's "Ross Dolan, Detective" says: "Great—I recommend it!"

3

The Voice of Authority, on radio's "This Is Your FBI," says: "It's Paramount's masterpiece of suspense."

4

Louella Parsons says: "You'll be held as taut as a Heifetz fiddlestring."

5

L. Blochman, Pres., Mystery Writers of America, says: "Points with both hands to thrilling entertainment."

6

Clayton Rawson, Editor of Clue, says: "A suspense-charged movie with a chilling climax."

7

Percival Wilde, creator of "P. Moran, Operative," says: "It's original and it's different."

8

M. P. Daily says: "Has everything to open big and grow as it runs."

9

Seventeen Magazine says: "Give 3 cheers and 3 cheers more for 'The Big Clock'."

10

Hugh Pentecost, famous mystery writer, says: "An almost unbearably exciting suspense movie."

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents.*

LOS ANGELES

"I Remember Mama" got off in high gear at two first-run theatres, and "Sitting Pretty" was sitting pretty at four others, in a week only mildly affected by traces of precipitation which kept no one indoors. Estimated receipts for the week ended April 7:

APRIL SHOWERS (WB) — WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 2nd week. Gross: $14,000. (Average: $16,300)

APRIL SHOWERS (WB) — WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 2nd week. Gross: $10,000. (Average: $12,400)

APRIL SHOWERS (WB) — WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 2nd week. Gross: $9,000. (Average: $12,600)

BAMBI (RKO Radio reissue) and WESTERN HERITAGE (RKO Radio) — BELMONT (1,600) (50c-60c-85c-$1.00) 2nd week. Gross: $4,500. (Average: $6,600)

BAMBI (RKO Radio reissue) and WESTERN HERITAGE (RKO Radio)—EL REY (861) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $7,000)

BAMBI (RKO Radio reissue) and WESTERN HERITAGE (RKO Radio)—ORPHEUM (2,210) (50c-60c-85c-$1.00) 2nd week. Gross: $8,500. (Average: $14,300)

BAMBI (RKO Radio reissue) and WESTERN HERITAGE (RKO Radio)—VOGUE (800) (50c-60c-85c-$1.00) 2nd week. Gross: $6,000. (Average: $7,500)

THE BISHOP'S WIFE (RKO Radio)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 2nd week. Gross: $11,500. (Average: $21,000)

THE BISHOP'S WIFE (RKO Radio)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 2nd week. Gross: $11,000. (Average: $15,000)

THE BRIDE GOES WILD (M-G-M)—FOX WILSHIRE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $10,000. (Average: $13,800)

THE BRIDE GOES WILD (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 2nd week. Gross: $14,000. (Average: $21,200)

THE FUGITIVE (RKO Radio) — FOUR STAR (900) (50c-60c-85c-$1.00) 2nd week. Gross: $9,500. (Average: $11,400)

THE FUGITIVE (RKO Radio)—PALACE (1,237) (50c-60c-85c-$1.00) 2nd week. Gross: $15,000. (Average: $21,000)

I REMEMBER MAMA (RKO Radio)—HILLSTREET (2,700) (50c-60c-80c-$1.00) Gross: $20,000. (Average: $18,300)

I REMEMBER MAMA (RKO Radio)—PANTAGES — (2,000) (50c-60c-80c-$1.00). Gross: $24,000. (Average: $17,300)

NAKED CITY (U-I)—GUILD (965) (50c-60c-85c-$1.00) 4th week. Gross: $6,000. (Average: $7,100)

NAKED CITY (U-I)—IRIS (708) (50c-60c-85c-$1.00) 4th week. Gross: $6,000. (Average: $7,100)

NAKED CITY (U-I) — RITZ (1,376) (50c-60c-85c-$1.00) 4th week. Gross: $11,000. (Average: $10,300)

NAKED CITY (U-I)—STUDIO (880) (50c-60c-85c-$1.00) 4th week. Gross: $6,500. (Average: $6,900)

NAKED CITY (U-I)—UNITED ARTISTS (2,100) (50c-60c-85c-$1.00) 4th week. Gross: $11,000. (Average: $15,400)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox) — CHINESE (2,300) (50c-60c-85c-$1.00) 6 days. Gross: $20,000. Average: $15,700)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th - Fox) — LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 6 days. Gross: $31,000. (Average: $21,700)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox)—LOYOLA (1,265) (56c-60c-85c-$1.00) 6 days. Gross: $12,500. (Average: $10,000)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox) — UPTOWN (1,716) (50c-60c-85c-$1.00) 6 days. Gross: $16,500. (Average: $10,800)

SONG OF MY HEART (Allied Artists)—MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00) 6 days. Gross $2,900. (Average: $4,300)

SONG OF MY HEART (Allied Artists) and WHERE THE NORTH BEGINS (Screen Guild)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00) 6 days. Gross: $7,300. (Average: $9,600)

SONG OF MY HEART (Allied Artists)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00) 6 days. Gross: $3,200. (Average: $5,200)

SONG OF MY HEART (Allied Artists)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00) 6 days. Gross: $2,800. (Average: $4,300)

WANTED—Motion Picture Script—Girl Sec'y—Steno. Music Firm—Interview at 1674 Broadway — Cecille Music Corp. Phone BU. 8-7366 for Appointment for Next Week.

Review

"Letter from an Unknown Woman"

(Rampart—Universal-International)

THE details of production are beyond dispute in "Letter from an Unknown Woman." It is a handsome and meritorious job of picture-making on a technical level which its dramatic level, however, never attains. The difficulty here is basic material with a flavor of the familiar and old-fashioned which is further endangered by slow direction and retarded movement.

There is an undeniable charm in the background of Vienna along about the turn of the century with its waltz music and its gaslight atmosphere, but the epic emotions which producer John Houseman and director Max Opuls appear to have sought are not in sight. The central characters are Joan Fontaine, a highly romantic, who falls madly in love with Louis Jourdan, concert virtuoso, who takes considerable footage to know she even exists and thereafter promptly forgets her for his next conquest. Their one night together eventualizes in an illegitimate son whose presence Jourdan learns of 10 years later when, dying, Miss Fontaine writes him. Via flashbacks the story unfolds. At its conclusion, the son is dead of typhus and the mother, too, has expired.

"Letter" deserves an "E" for effort in all departments. Jourdan, newcomer whose first American-made film was "The Paradine Case," lacks a reasonable opportunity. Others whose believability comes through uncertainly include Mady Christians, Marcel Journet and Art Smith. The film is based on a novelette by Stefan Zweig and a Howard Koch screenplay. Daniele Amfitheatrof's musical score is nostalgic and pleasant.

Running time, 90 minutes. Adult audience classification. For May release.

RED KANN

MINNEAPOLIS

"I Remember Mama" was the top draw in an otherwise run-of-the-mill week in Loop theatres. Estimated receipts for the week ending April 8:

CALL NORTHSIDE 777 (20th-Fox)—LYRIC (1,100) (50c-70c) 3rd week. Gross: $6,000. (Average: $5,500)

FRANKENSTEIN and DRACULA (U-I Reissues) — GOPHER (1,000) (44c-50c). Gross: $4,200. (Average: $3,500)

HIGH WALL (M-G-M)—STATE (2,300) (50c-70c). Gross: $12,000. (Average: $11,800)

I REMEMBER MAMA (RKO Radio)—RKO ORPHEUM (2,800) (50c-70c). Gross: $18,500. (Average: $13,500)

SO WELL REMEMBERED (RKO Radio)—CENTURY (1,500) (50c-70c). Gross: $5,500. (Average: $6,100)

THE FUGITIVE (RKO Radio)—RKO PAN (1,500) (50c-70c). Gross: $8,800. (Average: $8,800)

UNCONQUERED (Para.)—RADIO CITY (4,000) (50c-70c) 2nd week. Gross: $12,000. (Average: $17,000)

PHILADELPHIA

"Miracle of the Bells" in its second week is still the box-office leader here, while newcomers "The Fugitive" and "April Showers" also are giving a good account of themselves. Estimated receipts for the week ending April 6-8:

APRIL SHOWERS (WB)—MASTBAUM (4,700) (50c-60c-74c-80c-85c-94c). Gross: $30,000. (Average: $27,800)

ALBUQUERQUE (Para.)—STANTON (1,700) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $8,900. (Average: $11,900)

BAMBI (RKO Radio reissue)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $5,000. (Average: $12,000)

DUEL IN THE SUN (SRO)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run, 5 days. Gross: $4,000. (Average: $6,000)

CALL NORTHSIDE 777 (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $20,000. (Average: $20,400)

THE FUGITIVE (RKO Radio)—ALDINE (900) (50c-60c-74c-80c-85c-94c). Gross: $14,900. (Average: $13,200)

GENTLEMAN'S AGREEMENT (20th-Fox)—KEITH'S (2,200) (50c-60c-74c-80c-85c-94c) 2nd run, 4 days. Gross: $6,000. (Average: $6,100)

MIRACLE OF THE BELLS (RKO Radio)—EARLE (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $32,300. (Average: $24,300)

NAKED CITY (U-I)—STANLEY (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $29,800. (Average: $20,500)

SIGN OF THE RAM (Col.)—BOYD (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $15,600. (Average: $23,100)

THREE DARING DAUGHTERS (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 4th week. Gross: $14,000. (Average: $22,400)

KANSAS CITY

Spring weather Saturday and Sunday, following mostly mild days, drew people to highways and gardens. "Unconquered" is getting much a[illegible] average at regular prices, aft[illegible]ree weeks of large attendance at advanced prices in December. Estimated receipts for the week ending April 6-8:

BLACK NARCISSUS (UI) and SILVER QUEEN (Rep.)—ESQUIRE (800) (45c-65c). Gross: $5,000. (Average: $5,000)

I REMEMBER MAMA (RKO Radio)—ORPHEUM (1,900) (45c-65c). Gross: $14,000. (Average: $10,000)

SITTING PRETTY (20th-Fox)—FAIRWAY (700) (45c-65c) 2nd week. Gross: $1,750. (Average: $1,750)

SITTING PRETTY (20th-Fox)—TOWER (2,100) (45c-65c) 2nd week. Gross: $9,000. (Average: $9,000)

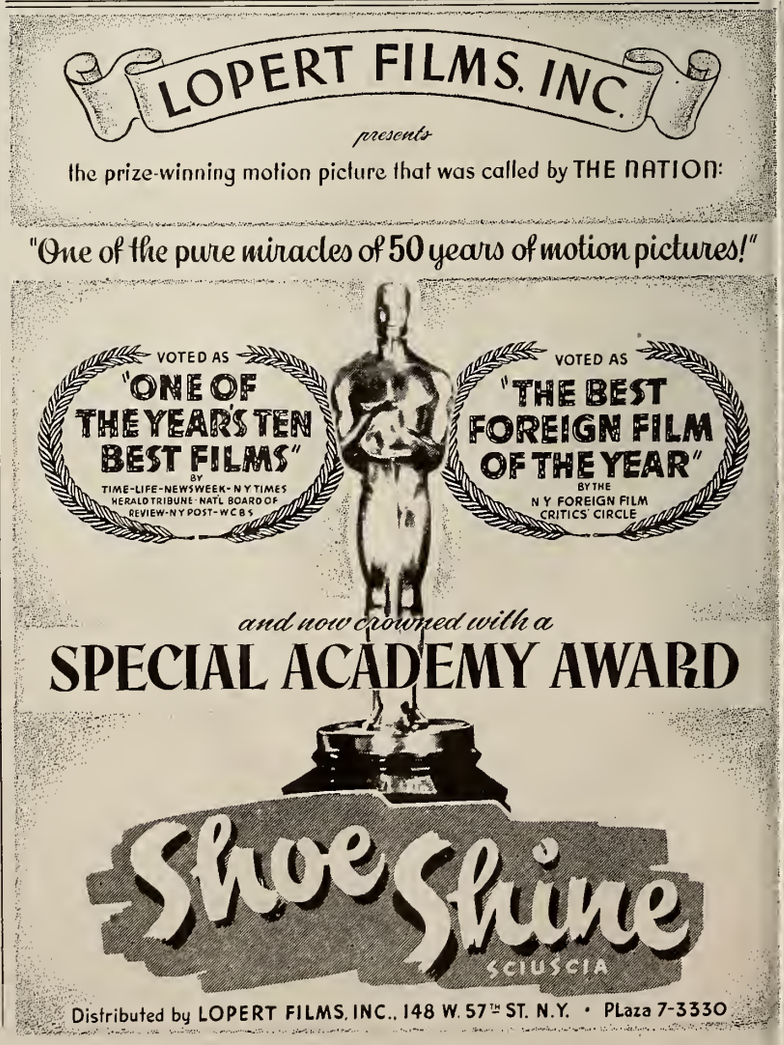
SITTING PRETTY (20th-Fox)—UPTOWN (2,000) (45c-65c) 2nd week. Gross: $6,750. (Average: $6,000)

THREE DARING DAUGHTERS (M-G-M)—MIDLAND (3,500) (45c-65c). Gross: $18,750. (Average: $15,000)

UNCONQUERED (Para.)—PARAMOUNT (1,900) (45c-65c). Gross: $15,000. (Average: $12,000)

Another Capital 1st-Run

WASHINGTON, April 7.—The Capital will get another first-run, downtown house on April 27 when the Playhouse opens with M-G-M's "The Search." The theatre will be operated by Film Transcription, Inc., owned by Ilya E. Lopert and Louise Noonan Miller.



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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 69 NEW YORK, U.S.A., FRIDAY, APRIL 9, 1948 TEN CENTS

Initiate Plans For Hollywood Canadian Aid

Harmon and Fitzgibbons Report Progress to Howe

OTTAWA, April 8.—An initial report on Hollywood's plan of cooperation toward the alleviation of Canada's U. S. currency problem has been outlined to Dominion Trade Minister C. D. Howe by J. J. Fitzgibbons, president of Famous Players Canadian Corp., and Francis Harmon, vice-president of the Motion Picture Association of America.

Harmon said here the industry recognizes the importance of the Canadian market and desires to cooperate. Steps already taken include plans to

(Continued on page 3)

Mayer Subpoenaed To Lawson Trial

WASHINGTON, April 8.—Louis B. Mayer and Dore Schary have been subpoenaed to testify in the trials of the 10 Hollywoodites cited for contempt of Congress during the House Un-American Activities Committee's hearings last fall. Trial of the first of the 10, John Howard Lawson, is slated to start here on Monday. Other film executives also may be subpoenaed as well as members of the committee and other officials.

Defense attorneys had asked the

(Continued on page 3)

Mulvey Boomed for SIMPP Presidency

A substantial segment of the Society of Independent Motion Picture Producers is determined apparently to persuade James Mulvey, president of Samuel Goldwyn Productions, to accept the presidency of the organization, an independent from the Coast reported here yesterday. SIMPP has been without a president since Donald Nelson resigned last December, with Mulvey since performing the major functions of the office.

If Mulvey becomes SIMPP's president he would continue as Goldwyn Productions' president.

New British Quota Act Now Is Law

LONDON, April 8.—Without fanfare, Britain's new Films Quota Act has become law and will remain so for a term of 10 years.

The Board of Trade is required to determine the new quota percentages not later than July 1 of each year, the revised percentages becoming operative the following October. The ruling principle of the law is that the highest practical quota be established for British films.

Authorized composition of the Films Council, which will be created to advise the Board of Trade's president on quota matters, is: four producer members, including a representative of "shorts" producers; five ex-

(Continued on page 3)

Ascap Members Hold Annual Meet Here

Problems facing Ascap on many fronts were discussed here yesterday at the annual membership meeting of the society at the Waldorf-Astoria. In his annual report Deems Taylor, who will bow out as president this year after serving six terms, disclosed the membership of the society stood at 2,284, an increase of 58 since the last membership meeting Oct. 10.

Taylor presided. Sharing the dais with him were Frank H. Connor, chairman of the executive committee of Ascap, and Louis D. Frohlich, the society's counsel.

Ascap officers are expected to be elected by the directors on April 29.

Set DeMille Labor Hearing for May 11

Washington, April 8.—Cecil B. DeMille will appear before the House Labor Committee on May 11 on hearings on "the right to work." The date for the hearings, twice postponed, were fixed today in a conference between DeMille and Committee chairman Hartley. Hartley said he was "satisfied" the hearings would result in legislation protecting workingmen's rights to work despite union restrictions.

Double UJA Goal For Drive in 1948

A goal of $2,400,000 has been set for the amusement division of the United Jewish Appeal for 1948, S. H. Fabian announced at an organizational luncheon-meeting, of which he was chairman, at the Hotel Astor here yesterday. The figure is double last year's.

Featured speaker at the meeting was Norman Lourie, president of Palestine Films and also associate of 20th Century-Fox in South Africa and United Artists' Palestinian representative. He outlined the urgency of the drive. Barney Balaban, Paramount president and national chairman of the UJA amusement division, also spoke, urging

(Continued on page 3)

MPAA to Inquire Into French Discriminations

U. S. film companies have requested Gerald Mayer, managing director of the Motion Picture Association of America's international division, to ask MPAA Paris representative Frank McCarthy to examine the situation in France with reference to the Blum-Byrnes accord and report on the advisability of seeking to have the film phase of the agreement renegotiated, it was disclosed here yesterday following a meeting between Mayer and foreign managers.

Renegotiation would be between the

(Continued on page 3)

N. Y. Cinema Lodge To Honor Balaban

Barney Balaban, Paramount president, will be presented with a gold B'nai B'rith medallion and life membership in Cinema Lodge, "for his devotion to the welfare of the entertainment industry unit of B'nai B'rith since its inception." Presentation will take place at the lodge's dinner to its retiring president, Robert M. Weitman, and its new president, S. Arthur Glixon, at the Hotel Astor next Wednesday.

Hughes-RKO Stock Deal Is Called Off

Odlum Says 'No Other Negotiations Pending'

Howard Hughes' negotiations for purchase of a controlling stock interest in RKO from Atlas Corp. were called off yesterday after having been under way for months.

Floyd B. Odlum, Atlas president, announced the ending of the negotiations with the following statement:

"Conversations between my old friend, Howard Hughes, and myself relating to the purchase and sale of RKO stock have been terminated without agreement. No other negotiations are now pending."

The last sentence of the Odlum statement may have referred to the "interest" in purchasing the Atlas' RKO stock which Robert R. Young, head of Pathe Industries-Eagle-Lion, claimed several months ago.

Loyd Wright, attorney for Hughes,

(Continued on page 3)

NYC Censor Bill's Defeat Sure: MPAA

New York City License Commissioner Benjamin Fielding's rejection of a proposed ordinance which would broaden his censorship powers over motion pictures, plays and all advertising relating to them, was interpreted by Motion Picture Association of America spokesmen yesterday as assurance that councilman Edward A.

(Continued on page 3)

Sale of Rialto to Mage Nears Closing

Deal is about to be consummated for the purchase of the Rialto Theatre, here, by Mage Films from Arthur Mayer and his partners in ownership, including Sam Dembow, it is understood. Mage Films is headed by James Mage, distributor of foreign product in the U. S. who is expected to make the Rialto a "showcase."

Mayer is reported to be preparing to enter an industry position after sale of the theatre.

S.R.O.'s "Mr. Blanding's builds his Dream House" draws raves from the critics

Personal Mention

ARTHUR W. KELLY, United Artists vice-president, will sail for London next Wednesday aboard the *S. S. Queen Elizabeth*, to discuss UA British production plans.

•

ABE DICKSTEIN, assistant to United Artists Eastern and Canadian sales manager E. M. SCHNITZER, returned here yesterday from an upstate business trip, while SCHNITZER is due back in New York Monday from Buffalo.

•

GIFF DAVIDSON, new vice-president of the Salt Lake Motion Picture Club, is general chairman for the annual Salt Lake Exhibitors' Round-Up, to be held in June.

•

TOM CONNORS became a grandfather for the fourth time yesterday with the birth of a son to his daughter, MRS. JAMES MAHON, in Los Angeles.

•

JOHN JOSEPH, Universal-International national advertising-publicity director, is accompanying NATE BLUMBERG, Universal president, who is due here today from Hollywood.

•

MRS. KAY O'BRIEN BERRY, secretary to 20th Century-Fox advertising-publicity head CHARLES SCHLAIFER, has resigned to await the arrival of her baby this fall.

•

KEN CLARK, Motion Picture Association of America public relations head, and JERRY CAHILL, of the MPAA Washington office, are on the Coast.

•

MURRY SALBERG, Eagle-Lion press book editor, will join CBS on Monday.

•

WILLIAM J. HEINEMAN, Eagle-Lion distribution vice-president, will return here on Monday from a Western trip.

•

J. R., DON and FRITZ WATERS of Waters Theatres, Birmingham, have returned there from Atlanta.

•

E. O. WILSCHKE, Altec Service operating manager, has returned to New York from Chicago.

•

SUSAN HAYWARD has arrived in New York from the Coast.

•

BING CROSBY, now in Pittsburgh, will arrive in New York on April 20.

•

CECIL B. DEMILLE is due in New York Sunday evening from Washington.

•

MARY BOLAND is in New York from Hollywood.

•

JOAN CRAWFORD is in New York from the Coast.

•

EDMUND REEK, Movietone News producer, is vacationing in Florida.

Insider's Outlook

By RED KANN

CURRENT bulletins of Allied units in Indiana and the Rocky Mountain area reflect considerable wariness over the British tax settlement. The fire is being concentrated on the clause by which American companies will withdraw from London funds equal to the earnings of British films in the United States in addition to the $17,000,000 remittable each year without strings of any kind.

Indiana, observes, for instance: "Naturally the two-fold incentive to sell English pictures is going to make the pressure very great." The Rocky Mountain unit, rougher about it, states: "The exhibitors of America are about to be pitched one of the fastest curve balls in the history of super salesmanship. . . . Your job is still to keep your theatre profitable, not to play patsy for the producer-distributors in their high finance deals. If you can get away with playing British films, then buy them. But if they are poison to you, then don't buy."

■

Developing at the regional level, it is a perfectly safe deduction this viewpoint will be general throughout Allied. Others will react identically, but, in all instances, it will be both understandable and deplorable. The average exhibitor, and particularly the unaffiliated, will have little comprehension and probably less sympathy over a problem which he regards as distantly removed from his own well being. London is far enough away from New York and more so from the Hudson west. The average theatreman has the problem of indifferent and disappointing Hollywood product on his mind and neither time nor patience to take on additional trouble. This makes his position understandable.

■

But, whether he realizes it or not, the kind of product Hollywood delivers him is tied inseparably to the prosperity of the whole industry — a prosperity of decidedly uncertain equation without the British market. Every exhibitor, in a sense, is in partnership with this industry no matter where it operates so that serious injury to one branch endangers the others. Where this is not realized and a reasonable effort to encourage British pictures is ignored, the effect finally may be expected to show up in Hollywood where enforced, large-scale slashes in negative costs will impair product quality. If this comes to pass, the exhibitor will face the issue on home ground. Not to appreciate the eventuality makes his position deplorable.

■

Reasonably, no one can expect any exhibitor to keep on playing product which is not useful at his boxoffice. In the main, this is his situation with the preponderance of English films. While it is good sense and good business to give them an opportunity, the larger responsibility reverts to the British producer. It is his job to make product which the American market can absorb. When he delivers films which prove widely acceptable, he will rise to his proper level here. Nothing will, or can, stop him.

■ ■

One of the biggest theatre deals in years revolves, if uncertainly, around final ownership of Golden State Theatres which operates a flock of houses in Northern California. From what goes on currently, it would appear the sale of their combined two-thirds interest by R. A. McNeil and Gene Emmick to their long-standing partner, Mike Naify, might turn out to be only one phase of the situation.

Milton Reynolds, Chicago pen manufacturer who was first in the arena with an offer to buy and thereafter lost out, is understood to be active again. So, too, Joe Schenck presumably acting on his own behalf. Ted Gamble is in the picture with what is described as a very eager eye.

All this is proving attractive to Naify, but it never follows that he will sell.

■

If ever reported, it has escaped notice here that Gamble has indulged in serious flirting with the Butterfield interests in Michigan. Purchase of that chain of better than 100 theatres, however, would entail about $15,000,000 in cash and in one lump; which is quite a gulp to get down in one swallow even for the Henry Morgenthau syndicate which has been linked to Gamble's theatre expansion.

■ ■

There's nothing more than meets the eye in the change at Eagle-Lion. Bryan Foy was loaded down with more detail than he cared about handling as head of production. He wanted to be relieved to concentrate on three or four films a year.

Rank Is Honored at Film Council Lunch

J. Arthur Rank was guest of honor at a luncheon given for him at the Union League Club here yesterday by Rome Betts, president of the Protestant Film Council, and Don Mitchell, New York industrialist.

"The children of both our countries need the use of motion pictures for teaching Bible stories and the Gospel," Rank said. "We in England are progressing rapidly with our religious film program and these films are going out all over the world."

Later Rank was guest of the council's directors for further discussion of the production of religious films for non-theatrical use.

Cohn Pact Up at Columbia Meeting

Annual meeting of Columbia stockholders will be held here today to elect seven directors and to vote on a proposed five-year employment contract for Harry Cohn, effective from March 27, 1947. The meeting also will vote on a proposed agreement whereby Columbia would grant Cohn options to purchase 75,000 shares of the company's common stock at its initial price of $16 per share.

The following directors have been nominated for reelection: Harry and Jack Cohn, A. Schneider, N. B. Spingold, A. Montague, Leo M. Blancke and Donald S. Stralem.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES Oscar HOMOLKA Philip DORN
Produced by HARRIET PARSONS
SPECTACULAR STAGE PRESENTATION

ALAN LADD and VERONICA LAKE in "SAIGON"
A Paramount Picture
PARAMOUNT T.MES SQUARE
in Person THE MILLS BROS. DEAN MURPHY THE COLSTONS BUDDY RICH And His ORCHESTRA
MIDNIGHT FEATURE NIGHTLY

RUSSELL JANNEY'S "THE MIRACLE OF THE BELLS"
starring FRED MacMURRAY Valli FRANK SINATRA
Released by RKO RADIO PICTURES
RIVOLI B'way at 49th St.

Robert Maureen Clifton
YOUNG • O'HARA • WEBB
"SITTING PRETTY"
A 20th Century-Fox Picture
PLUS ON STAGE—ART MOONEY • BETTY BRUCE
Extra! AL BERNIE
ROXY 7th Ave. & 50th St.

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PCCITO Rejects Bid To Condemn Film

SAN FRANCISCO, April 8.—The Pacific Coast Conference of Independent Theatre Owners today declined to act on a request by Rev. William Howard Melish of New York, chairman of the National Council of American-Soviet Friendship, that PCCITO condemn 20th Century-Fox's "The Iron Curtain" as war propaganda.

PCCITO has already protested political activities of Hollywood stars and apparently wanted to be consistent by not itself becoming embroiled in a Leftist political agitation.

Trustees of the organization will meet tomorrow to act on convention issues.

Delay Answers in Windsor Trust Suit

WASHINGTON, April 8.—Answers of distributors in the $600,000 trust suit filed here by Windsor Theatre Co., Baltimore, have been indefinitely postponed pending disposition of questions on whether two Baltimore theatres and their president should be dismissed from the suit on the ground they do not do business in the District of Columbia. Depositions will be taken tomorrow.

Mississippi House Rejects Tax Cut Bill

JACKSON, Miss., April 8.—The Mississippi House has voted 60 to 52 to call up for action a bill to cut state theatre admission taxes from 13 to two per cent on tickets selling for 30 cents or less, lacking the two-thirds majority necessary to consider it. Opponents said the state would lose $777,000 a year if the bill passed. The bill recently received unfavorable committee action.

Weather Affects Receipts

SALT LAKE CITY, April 8.—Unseasonal snowstorms and rain have hurt theatre business somewhat in this area, but average receipts are about normal due to heavy week-end attendance.

Hopcraft to DuMont

Edward M. Hopcraft has been named DuMont video network film buyer. He was formerly with RCA Photophone and film distribution.

NYC Censor Bill

(*Continued from page* 1)

Cuningham's censorship bill will not become law. Bill will be introduced on Tuesday.

New York ITOA Hits Bill

Reflecting the opposition of New York exhibitors who have sent telegrams to city councilmen protesting the proposed Cunningham censorship bill, the Independent Theatre Owners Association of New York, yesterday denounced the measure as a danger to civil liberties.

Double UJA Goal

(*Continued from page* 1)

redoubled effort in behalf of the campaign.

To meet this year's quota, Fabian called for "better quality of giving and more intensive coverage."

Taxless Tickets For Vets Proposed

Washington, April 8.—Sen. Brooks has introduced a bill to remove the admission tax from tickets given free to hospitalized servicemen and veterans. The measure was referred to the finance committee. A similar bill has already passed the House.

Bankers Are Still Cautious: Brisson

Terms of the British tax agreement have not inspired American banks to become less cautious in financing independent Hollywood production, Frederick Brisson, partner with Dudley Nichols and Rosalind Russell in Independent Artists, Inc., who is in New York from the Coast, said yesterday. Brisson expects to set up a New York office for the company and close a revolving fund deal with financial backers.

Among forthcoming productions planned by I-A will be one based on the life of Brisson's father, Danish actor Carl Brisson. A $300,000 advertising budget has been set up for I-A's new "Velvet Touch," which will be released in the fall, Brisson reported.

MPAA, French

(*Continued from page* 1)

U. S. State Department and the French government, with the State Department understood to be ready to comply with a French request for renegotiation if assurance is forthcoming from U. S. companies that the French government is taking steps to correct certain discriminations against American films. The McCarthy report would provide the basis of an MPAA report to the State Department on the extent to which the French have removed discriminations in raw stock allocations and in other matters, including prohibitions on the showing of U. S. films dubbed more than two years ago.

New British Quota

(*Continued from page* 1)

hibitor members, including one Scottish representative; four from trade unions, two distributors, and seven independent persons.

An amendment which would have imposed a stiffer quota on circuit theatres than others was defeated. The law provides that the quota shall be uniform for all theatres, except that those in highly competitive situations may claim relief. The Board of Trade is empowered to fix a reduced quota for an independent exhibitor whose immediate competition includes two circuit theatres.

Lapidus at WB Meet

PITTSBURGH, April 8.—Jules Lapidus, Warner Eastern and Canadian division sales manager, will hold a meeting of Central district sales force here tomorrow. Attending will be Charles Rich, Central district manager, and branch managers J. S. Abrose, Cincinnati; J. M. Wechsler, Cleveland; C. W. McKean, Indianapolis; Paul Krumenacker, Pittsburgh.

U. S. - Canadian

(*Continued from page* 1)

use more Canadian news shots, locations, scenic backgrounds, studios, and other facilities in current film production, Harmon explained. An extensive list of Canadian stories which are considered suitable for film treatment also are being considered, Harmon said.

Catalogs are being prepared listing all the stock shots and various scenic sequences available in the library of the National Film Board and those of other Canadian producers with the intention of incorporating them in appropriate Hollywood productions.

Canadian news in a U. S. television program and the addition of an educational commentary on Canada to a completed film with a Canadian background are among other projects in the program.

Lawson Trial

(*Continued from page* 1)

Government for a further postponement in the trials, but were turned down.

Another attempt may be made today to get a two-week postponement of the trials or quash the subpoena for Schary on the ground that his mother is seriously ill and he cannot attend. Government attorneys will oppose any further delay on the claim that Schary's testimony is not necessary to the defense case, and while defense counsel claim they would like to oblige Schary "since he is our witness," they declare they are ready to go ahead Monday if the Court orders this.

The House today authorized committee chairman J. Parnell Thomas to answer a Government subpoena to appear at the Lawson trial. House approval is needed for any member to answer a subpoena.

North Jersey Radio Given FM License

WASHINGTON, April 8.—Federal Communications Commission today issued a new order taking a New York frequency modulation license from the Methodist Church Convention and giving it to North Jersey Radio of Newark. Four other frequencies remain allocated to American Broadcasting, Unity Broadcasting, WMCA and North Jersey Broadcasting, Paterson. Still turned down are applications from the News Syndicate and others.

Hughes - RKO

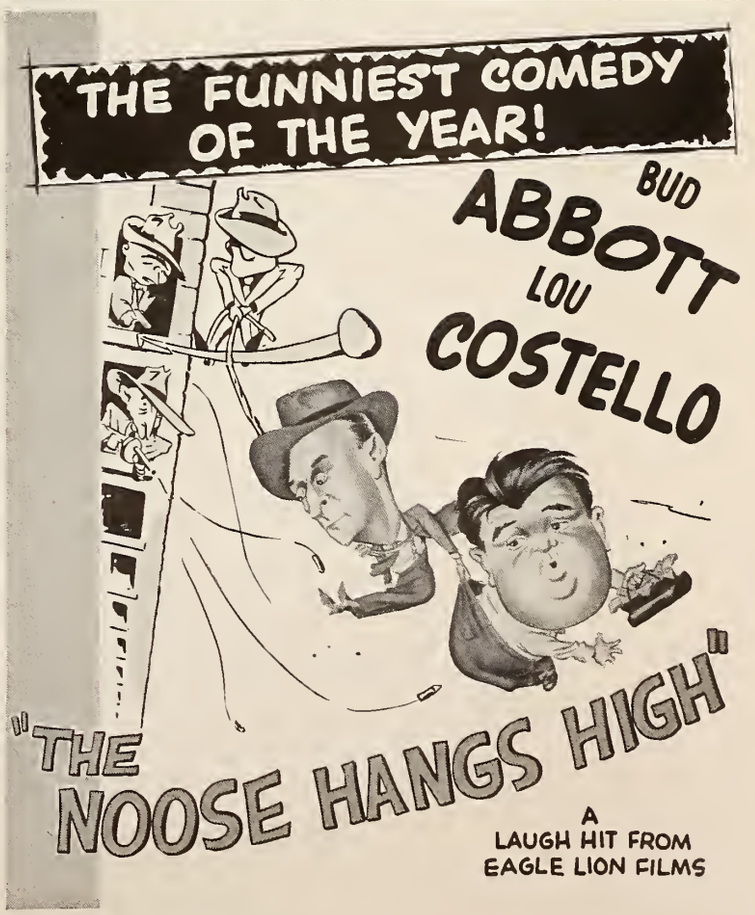
(*Continued from page* 1)

who conducted the final negotiations with Odlum in New York this week, declined to comment on reasons for their failure, nor would Odlum amplify his formal statement. Wright will leave for the Coast today. In reply to a question, he said he did not expect to see negotiations revived in the foreseeable future, adding: "But you know how negotiations are in this and all other businesses. They're on and they're off."

The Hughes negotiations involved the purchase of Atlas' 929,000 shares of RKO common, having a market value on the New York Stock Exchange yesterday of $8,477,000. It is reported that Odlum regards the market price as less than the fair value of the stock, hence failure to agree on price is believed to have been the stumbling block.

Lee's Theatre Burns

MEMPHIS, April 8.—A $30,000 fire destroyed the Star Theatre, Star City, Ark. Walter R. Lee, Little Rock, was the owner.



"THE 20th CENTURY-FOX TRADEMARK IS ALMOST A GUARANTEE OF THE FINEST THAT HOLLYWOOD CAN OFFER!"

By Virg Langdon

Thank

"With each first-run picture opening we become more convinced that a film with the 20th Century-Fox trademark is almost a guarantee of the finest that Hollywood can offer in the way of motion picture entertainment. After viewing the Technicolor treat, "Scudda-Hoo! Scudda-Hay!" at the Roxy yesterday, it suddenly became apparent that, like Frigidaire in its field, 20th Century-Fox has become foremost in the production of motion pictures. We'll cite the following late releases as an example: "The Razor's Edge," "Forever Amber," "Gentleman's Agreement," "Miracle on 34th Street," "I Wonder Who's Kissing Her Now," "Mother Wore Tights," "The Foxes of Harrow," " Captain From Castile," "Daisy Kenyon," "Call Northside 777," and others of lesser note yet equally well produced.

"Scudda-Hoo! Scudda-Hay!" has been produced in the same flawless manner as its illustrious predecessor, "Home in Indiana," and again reunites Lon McCallister and June Haver, with the peerless Walter Brennan thrown in for good measure."

REPRINTED FROM THE TACOMA NEWS-TRIBUNE

you Mr. Langdon—

And for equally fine attractions, we call your attention to . . . . .

SITTING PRETTY

20th's all-time record-breaking laugh hit! Variety's Box-office Survey Reports It's Leading The Field!

FURY AT FURNACE CREEK

In the Winning of the West This Flaming Saga of Vengeance and Heroism was born!

THE IRON CURTAIN

Week of May 12! 500 Theatres in Spectacular Nation-Wide World premiere!

ESCAPE

John Galsworthy's immortal drama brings the screen its outstanding portrayal of unremitting suspense!

GREEN GRASS OF WYOMING

Technicolor

The finest outdoor adventure picture of them all! Greatness to match the grandeur of the West's rugged cliffs and canyons!

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents.*

OMAHA

Box-office returns continued brighter, spurred on by ideal spring weather. Estimated receipts for the week ended April 7-8:

CASS TIMBERLANE (M-G-M)—STATE (750) (50c-65c) 7 days, 2nd week. Gross: $5,100. (Average: $5,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—OMAHA (2,000) (50c-65c) 7 days, 2nd week, on a moveover from the Paramount. Gross: $9,100. (Average: $8,600)
I REMEMBER MAMA (RKO Radio)—RKO BRANDEIS (1,100) (50c-65c) 7 days. Gross: $8,200. (Average: $6,800)
UNCONQUERED (Para.) — ORPHEUM (3,000) (50c-65c) 7 days, 2nd week. Gross: $10,100. (Average: $9,300)
YOU WERE MEANT FOR ME (20th-Fox)—PARAMOUNT (2,900) (50c-65c) 7 days. Gross: $12,500)

DENVER

"I Remember Mama" copped the high figure at a single house and is holding. Estimated receipts for the week ended April 7:

BLACK NARCISSUS (U-I) and SECRET BEYOND THE DOOR (U-I)—RIALTO (878) (35c-74c) 7 days, after a week at the Paramount and Aladdin. Gross: $3,000. (Average: $3,000)
DOUBLE LIFE (U-I)—DENVER (2,525) (35c-74c) 7 days, day and date with the Esquire. Gross: $17,500. (Average: $13,000)
DOUBLE LIFE (U-I)—ESQUIRE (742) (35c-74c) 7 days, day and date with the Denver. Gross: $4,500. (Average: $2,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—PARAMOUNT (2,200) (35c-74c) 7 days, 2nd week, day and date with the Webber. Goss: $10,000. (Average: $10,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—WEBBER (750) (35c-74c) 7 days, after a week at the Esquire and day and date with the Paramount. Gross: $2,500. (Average: $2,000)
I REMEMBER MAMA (RKO Radio)—ORPHEUM (2,600) (35c-74c) 7 days. Gross: $19,000. (Average: $13,500)
MUMMY'S TOMB (Realart) and MUMMY'S GHOST (Realart)—TABOR (1,967) (35c-74c) 7 days. Gross: $10,000. (Average: $8,000)
SCUDDA-HOO! SCUDDA-HAY! (20th-Fox) and DOCKS OF NEW ORLEANS (Mono.)—ALADDIN (1,400) (35c-74c) 7 days, after a week at the Denver, Esquire, Webber and Rialto. Gross: $3,000. (Average: $2,500)
UNCONQUERED (Para.)—DENHAM (1,750) (35c-70c) 7 days, 2nd week. Gross: $9,500. (Average: $11,000)

CLEVELAND

Capacity weekend boosted business at all first-runs, with six of eight doing better than average. Neighborhoods report that the first good spring Sunday cut heavily into attendance. Estimated receipts for the week ended April 6-7:

ALBUQUERQUE (Para.) — LOEW'S STILLMAN (1,900) (50c-70c) 10 days. Gross: $14,000. (Average: $10,000 for seven days)
APRIL SHOWERS (WB) — WARNERS' HIPPODROME (3,500) (55c-70c) 7 days. Gross: $18,500. (Average: $18,250)
BRIDE GOES WILD (M-G-M)—LOEW'S OHIO (1,268) (50c-70c) 7 days, 2nd week, on a move-over. Gross: $9,000. (Average: $6,600)
I REMEMBER MAMA (RKO Radio)—RKO ALLEN (3,000) (55c-70c) 7 days. Gross: $18,500. (Average: $13,000)
MATING OF MILLIE (Col.)—RKO PALACE (3,300) (55c-70c) 7 days. Gross: $15,000. (Average: $15,500)
MONSIEUR VERDOUX (UA) — LOWER MALL (563) (50c-70c) 7 days, 2nd week. Gross: $2,600. (Average: $2,500)
NAKED CITY (U-I) — LOEW'S STATE (3,300) (50c-70c) 7 days. Gross: $27,000. (Average: $19,600)
T-MEN (E-L)—WARNERS' LAKE (714) (55c-70c) 7 days, 2nd week, on a move-over. Gross: $3,200. (Average: $2,750)

TORONTO

Six theatres had holdovers, three of them for a third week, which left only a pair of houses with new programs. Estimated receipts for the week ended April 8:

NAKED CITY (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $10,600. (Average: $11,600)
SITTING PRETTY (20th-Fox)—NORTOWN (950) (20c-36c-42c-60c) 6 days, 3rd week. Gross: $5,000. (Average: $7,000)
SITTING PRETTY (20th-Fox) — VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 3rd week. Gross: $5,800. (Average: $6,300)
SO WELL REMEMBERED (E-L)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days, 3rd week. Gross: $5,000. (Average: $5,000)
THREE DARING DAUGHTERS (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days, 2nd week. Gross: $14,700. (Average: $14,200)
UNCONQUERED (Para.)—SHEA'S (2,480) (20c-36c-38c-66c-90c) 6 days, 2nd week. Gross: $15,400. (Average: $14,900)
WHERE THERE'S LIFE (Para.)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days. Gross: $7,900. (Average: $7,400)
WHERE THERE'S LIFE (Para.)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days. Gross: $9,700. (Average: $9,200)
YOU WERE MEANT FOR ME (20th-Fox)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $15,600. (Average: $14,600)

BUFFALO

"Naked City" was strong at the Lafayette. So was "The Big Clock" at the Great Lakes. "I Remember Mama" held up well in a second week at the Twentieth Century. Weather was cold-over the weekend, but brightened up for the tail end of current runs.

APRIL SHOWERS (WB) and MURDER IN REVERSE (British)—BUFFALO (3,489) (40c-50c-60c-70c) 7 days. Gross: $18,000. (Average: $18,000)
BIG CLOCK (Para.) and CAMPUS HONEYMOON (Rep.)—GREAT LAKES (3,000) (40c-50c-60c-70c) 7 days. Gross: $18,500. (Average: $17,000)
I REMEMBER MAMA (RKO Radio)—TWENTIETH CENTURY (3,000) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $15,000. (Average: $15,000)
NAKED CITY (U-I) and PERILOUS WATERS (Mono.) — LAFAYETTE (3,000) (40c-50c-60c-70c) 7 days. Gross: $19,800. (Average: $15,000)
PHILADELPHIA STORY (M-G-M) and SLIPPY McGEE (Rep.)—HIPPODROME (2,100) (40c-50c-60c-70c) 7 days. Gross: $7,600. (Average: $10,000)
ROBIN HOOD and I BE CAME A CRIMINAL (WB)—TECK (1,500) (40c-50c-60c-70c) 7 days. Gross: $5,400. (Average: $5,000)

PITTSBURGH

"Miracle of the Bells," in its second week at the Warner, led local grosses. Estimated receipts for the week ended April 8:

APRIL SHOWERS (WB)—STANLEY (3,800) (44c-60c-76c) 7 days, 2nd week. Gross: $12,000. (Average: $15,000)
AMERICAN EMPIRE (RKO Radio reissue) and BUCKSKIN FRONTIER (RKO Radio reissue)—RITZ (1,100) (44c-60c-76c) 7 days. Gross: $3,000. (Average: $3,200)
SCUDDA - HOO! SCUDDA - HAY! (20th-Fox—FULTON (1,700) (44c-60c-76c) 2nd week, 7 days. Gross: $7,500 (Average: $9,700)
THE FARMER'S DAUGHTER (RKO Radio reissue) and THE SPIRAL STAIRCASE (RKO Radio reissue)—SENATOR (1,700) (44c-60c-76c) 7 days. Gross: $3,500. (Average: $3,500)
THE MIRACLE OF THE BELLS (RKO Radio)—WARNER (2,000) (44c-60c-76c) 2nd week, 7 days. Gross: $15,500. (Average: $8,000)
THE NAKED CITY (U-I)—J. P. HARRIS (2,000) (44c-60c-76c) 2nd week, 7 days. Gross: $13,500. (Average: $11,000)
UNCONQUERED (Para. reissue)—PENN (3,400) (44c-60c-76c) 7 days. Gross: $14,000. (Average: $15,000)

INDIANAPOLIS

A combination of good weather and school vacations is helping all first-runs here to better-than-average grosses. "Gentleman's Agreement" has really taken hold at the Indiana. Estimated receipts for the week ended April 6-7:

CALL NORTHSIDE 777 (20th-Fox) and CAMPUS HONEYMOON (Rep.)—CIRCLE (2,800) (44c-65c). Gross: $14,000. (Average: $10,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—INDIANA (3,200) (44c-65c). Gross: $19,000. (Average: $12,000)
PRINCE OF THIEVES (Col.) and A LADY SURRENDERS (U-I)—LYRIC (1,600) (44c-65c). Gross: $6,500. (Average: $6,000)
SIGN OF THE RAM (Col.) and RETURN OF THE WHISTLER (Col.) — LOEW'S (2,450) (44c-65c). Gross: $12,000. (Average: $11,000)
SITTING PRETTY (20th-Fox)—KEITH'S (1,300) (44c-65c). On a moveover from the Indiana. Gross: $6,500. (Average: $4,500)

BOSTON

Grosses continued upward with good weather and heavy retail promotions to draw crowds into the Hub. Leading the city was "Naked City" at Loew's State and Orpheum. Estimated receipts for the week ended April 7:

APRIL SHOWERS (WB) and THE INSIDE STORY (Rep.) — METROPOLITAN (4,736) (40c-80c). Gross: 3 days, $15,000. (Average: 3 days, $12,000)
BLONDE SAVAGE (E-L) — BOSTON (2,900) (50c-$1.10). Stage show, Horace Heidt. Gross: $27,000. (Average: $28,500)
I REMEMBER MAMA (RKO Radio)—MEMORIAL (2,900) (40c-80c). Gross: $26,000. (Average: $27,000)
NAKED CITY (U-I)—ORPHEUM (3,900) (40c-80c). Gross: $32,000. (Average: $24,200)
NAKED CITY (U-I)—STATE (2,900) (35c-80c). Gross: $18,200. (Average: $14,500)
SITTING PRETTY (20th-Fox) and DOCKS OF NEW ORLEANS (Mono.)—FENWAY (1,700) (40c-80c). Gross: $4,800. (Average: $5,300)
SITTING PRETTY (20th-Fox) and DOCKS OF NEW ORLEANS (Mono.) — PARAMOUNT (1,700) (40c-80c). Gross: $15,000. (Average: $14,500)

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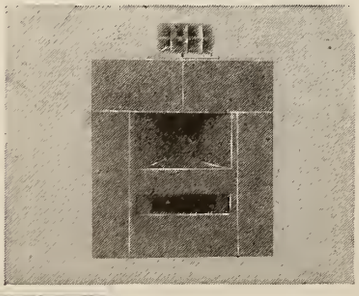
Mounting sales of "800" Voice of the Theatre sound systems to theatres of small size auditoriums reflect the widespread recognition of exhibitors of smaller theatres of the need for the same high quality reproduction that the large size "Voice of the Theatre" sound systems provide in the nation's largest first run houses. Exhibitors appreciate the exclusive design features of the "800" which eliminate annoying backstage reverberation so common with old-type systems.

No matter what the size of your theatre, no matter what its acoustic peculiarities, there is a "Voice of the Theatre" sound system which will provide your patrons with the finest possible reproduction of the sound on the sound track. Ask your supply dealer for full information about "Voice of the Theatre" for modernization of your present system. "Voice of the Theatre" systems are supplied as standard equipment by most leading manufacturers of theatre systems.



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MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIV.-INT'L	WARNERS
Feb. 22	TO THE ENDS OF THE EARTH Dick Powell D—107 min. (Rev. 1/19/48)	TAKE MY LIFE Greta Gynt D—80 min. (814) (Rev. 2/10/48)	(Feb. Releases) HIGH WALL Robert Taylor Audrey Totter D—99 min. (815) (Rev. 12/17/47) (Reissue) GONE WITH THE WIND (Color) Clark Gable D—220 min. (Rev. 12/13/39)	(Allied Artists) PANHANDLE Rod Cameron D—87 min. (AA7) (Rev. 1/23/48)		OKLAHOMA BADLANDS Allan "Rocky" Lane O—59 min. (753) (Rev. 3/10/48) MADONNA OF THE DESERT Lynne Roberts D—60 min.(704) (Rev. 3/11/48)	(Block 2) NIGHT SONG Dana Andrews D—102 min. (806) (Rev. 11/12/47) DICK TRACY MEETS GRUESOME D—62 min. (809) (Rev. 9/29/47)	(Feb. Releases) YOU WERE MEANT FOR ME Jeanne Crain D—91 min. (802) (Rev. 1/16/48)		(Feb. Releases) A WOMAN'S VENGEANCE Charles Boyer Ann Blyth D—96 min. (634) (Rev. 12/18/47)	
Feb. 29		MAN FROM TEXAS James Craig (Rev. 3/30/48)			CAGED FURY Richard Denning D—60 min. (4711) (Rev. 2/19/48)		(Wurtzel) DANGEROUS YEARS William Halop D—62 min.(804) (Rev. 12/16/47)			SECRET BEYOND THE DOOR Joan Bennett Michael Redgrave D—99 min. (627) (Rev. 2/2/48)	I BECAME A CRIMINAL Sally Gray D—78 min. (717) (Rev. 2/10/48)
Mar. 7		THE WESTWARD TRAIL Eddie Dean O—58 min. (855) (Rev. 3/3/48)	(Mar. Releases) THREE DARING DAUGHTERS (Color) Jeanette MacDonald MC—115 min. (817) (Rev. 2/13/48)	ANGELS ALLEY Leo Gorcey D—67 min. (4708) (Rev. 1/22/48)	SAIGON Alan Ladd Veronica Lake D—94 min. (4710) (Rev. 2/4/48)		SO WELL REMEMBERED John Mills Martha Scott D—114 min. (807) (Rev. 11/29/47)	CALL NORTHSIDE 777 James Stewart D—111 min. (805) (Rev. 1/21/48)			(Reissue) ADVENTURES OF ROBIN HOOD (Color) Errol Flynn Olivia de Haviland D—102 min. (718) (Rev. 4/27/38)
Mar. 14	THE RETURN OF THE WHISTLER Michael Duane D—66 min.	THE OCTOBER MAN John Mills D—85 min. (816) (Rev. 3/18/48)	ALIAS A GENTLEMAN Wallace Beery C—76 min. (818) (Rev. 2/4/48)			THE INSIDE STORY Marsha Hunt D—87 min. (305) (Rev. 3/25/48)	WILD HORSE MESA Tim Holt O—61 min. (808) (Rev. 11/17/47) OUT OF THE PAST Robert Mitchum D—97 min. (Rev. 11/17/47)	(March Releases) GENTLEMAN'S AGREEMENT Gregory Peck Dorothy McGuire D—118 min. (806) (Rev. 11/10/47)		(March-April Releases)	
Mar. 21	ADVENTURES IN SILVERADO William Bishop D WEST OF SENORA Charles Starrett O	THE ENCHANTED VALLEY (Color) Alan Curtis (Rev. 3/26/48)	THE BRIDE GOES WILD Van Johnson June Allyson C—98 min. (819) (Rev. 2/26/48)	DOCKS OF NEW ORLEANS D—64 min. (4712) (Rev. 3/18/48)	MR. RECKLESS William Eythe D—66 min. (4712) (Rev. 3/3/48)	BILL AND COO (Color) D—61 min. (Rev. 12/26/47)	(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (868) (Rev. 3/9/48)	(Reliance) THE CHALLENGE Tom Conway D—68 min. (807) (Rev. 2/26/48)	(March Release) (Enterprise) ARCH OF TRIUMPH Ingrid Bergman Charles Boyer D—120 min. (Rev. 2/18/48)	A DOUBLE LIFE Ronald Colman Signe Hasso D—104 min. (650) (Rev. 12/24/47)	APRIL SHOWERS Jack Carson Ann Southern D—94 min. (719) (Rev. 3/10/48)
Mar. 28	SONG OF IDAHO Kirby Grant O THE SIGN OF THE RAM Susan Peters D—84 min. (Rev. 2/2/48)	RUTHLESS Zachary Scott D—104 min. (Rev. 4/6/48)	B. F.'s DAUGHTER Barbara Stanwyck Van Heflin D—108 min. (Rev. 2/17/48)	(Allied Artists) THE HUNTED Belita Preston Foster D—85 min. (AA5) (Rev. 2/4/48)		CALIFORNIA FIREBRAND (Color) Monte Hale D	THE MIRACLE OF THE BELLS Fred MacMurray Frank Sinatra Valli D—126 min. (869) (Rev. 3/2/48)	(Wurtzel) HALF PAST MIDNIGHT Kent Taylor D—69 min. (808) (Rev. 2/19/48)		THE NAKED CITY Barry Fitzgerald Dorothy Hart D—96 min. (651) (Rev. 1/21/48)	
Apr. 4	MY DOG RUSTY Ted Donaldson D	THE HAWK OF POWDER RIVER Eddie Dean O—54 min. (856) (Rev. 3/11/48)	SUMMER HOLIDAY (Color) Mickey Rooney Gloria Henry C—92 min. (Rev. 3/16/48)		UNCONQUERED (Color) Gary Cooper Paulette Goddard D—146 min. (4705) (Rev. 9/25/47)		FORT APACHE John Wayne Henry Fonda D—127 min. (870) (Rev. 3/10/48)	AN IDEAL HUSBAND (Color) Paulette Goddard D—96 min. (809) (Rev. 1/12/48)	(April Releases) ATLANTIS Maria Montez D—90 min.	JASSY (Color) Margaret Lockwood Dennis Price D—96 min. (Rev. 2/5/48)	TO THE VICTOR Dennis Morgan D—99 min. (720) (Rev. 3/30/48)
Apr. 11	PORT SAID Gloria Henry D	THE NOOSE HANGS HIGH Bud Abbott Lou Costello C—77 min. (Rev. 4/1/48)	STATE OF THE UNION Spencer Tracy Katharine Hepburn D—124 min. (Rev. 3/24/48) (Reprint) TARZAN'S SECRET TREASURE Johnny Weismuller D—81 min. (Rev. 11/14/41)		THE BIG CLOCK Ray Milland D—95 min. (4713) (Rev. 2/16/48)	THE BOLD FRONTIERSMAN Allan "Rocky" Lane O	(Block 3) TARZAN AND THE MERMAIDS Johnny Weismuller D—68 min. (813) (Rev. 3/23/48)	(April Releases) SITTING PRETTY Robert Young Maureen O'Hara C—84 min. (810) (Rev. 2/24/48)	SO THIS IS NEW YORK Henry Morgan C—79 min.	BLACK BART (Color) Yvonne de Carlo Dan Duryea D—80 min. (Rev. 1/29/48)	
Apr. 18	THE MATING OF MILLIE Glenn Ford Evelyn Keyes C—87 min. (Rev. 3/9/48)	THE COBRA STRIKES Sheila Ryan D	TARZAN'S NEW YORK ADVENTURE Johnny Weismuller D—71 min. (Rev. 4/15/42)			HEART OF VIRGINIA Janet Martin D	THE ARIZONA RANGER Tim Holt O—63 min. (Rev. 3/25/48)	SCUDDA HOO, SCUDDA HAY (Color) Lon McCallister D—95 min. (811) (Rev. 3/3/48)		CASBAH Tony Martin Yvonne de Carlo D—94 min. (Rev. 3/3/48)	WINTER MEETING Bette Davis James Davis D—101 min. (721) (Rev. 4/7/48)
Apr. 25			(May Releases) THE PIRATE (Color) Judy Garland Gene Kelly D—102 min. (Rev. 3/29/48)	(Allied Artists) SMART WOMAN Constance Bennett Brian Aherne D—93 min. (Rev. 3/9/48)	THE SAINTED SISTERS Veronica Lake D—89 min. (4714) (Rev. 3/8/48)	OLD LOS ANGELES William Elliott O	IF YOU KNEW SUSIE Eddie Cantor Joan Davis C—90 min. (Rev. 1/30/48)	MEET ME AT DAWN William Eythe (C—81 min. (812) (Rev. 3/18/48)		ARE YOU WITH IT? Donald O'Connor Martha Stewart C—90 min. (Rev. 3/17/48)	(Reissue) VALLEY OF THE GIANTS Wayne Morris Claire Trevor D—78 min. (722) (Rev. 9/12/38)
May 2	BEST MAN WINS Edgar Buchanan C WHIRLWIND RAIDERS O	RAW DEAL Dennis O'Keefe D	HOMECOMING Clark Gable Lana Turner D—113 min. (Rev. 4/5/48)			KING OF THE GAMBLERS William Wright D	WESTERN HERITAGE Tim Holt Nan Leslie O—61 min.) (Rev. 1/30/48) BERLIN EXPRESS Robert Ryan Merle Oberon D—86 min. (Rev. 4/6/48)	LET'S LIVE AGAIN John Emery D—67 min. (813) (Rev. 2/27/48) 13 LEAD SOLDIERS Tom Conway D		DEAR MURDERER Eric Portman Greta Gynt D—84 min.) (Rev. 6/20/47)	(Reissue) THE FIGHTING 69th James Cagney Pat O'Brien D—79 min. (723) (Rev. 1/5/40)

[*Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.)* Motion Picture Daily *Review Date.*]

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(Space permits only this partial list of play dates)

DO NOT REMOVE

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 53. NO. 70 | NEW YORK, U.S.A., MONDAY, APRIL 12, 1948 | TEN CENTS

Reynolds and Lippert Near Deal with Naify

Would Take 50% and Operate Golden State

San Francisco, April 11.—Milton Reynolds, Chicago millionaire ball-pen manufacturer, and Robert L. Lippert of Lippert Theatres, here, who recently renewed their earlier unsuccessful attempt to acquire control of the huge Golden State and T. and D. Enterprises circuit here, are reliably reported to have advanced their current negotiations with Michael Naify, president of United California Theatres Circuit, to the closing stage.

The deal is for 50 per cent of the circuit but with complete operation going to Lippert. Naify would retain the other 50

(*Continued on page 4*)

Stockholders Okay, Cohn Rejects Pact

Columbia stockholders voted on Friday 469,184 shares to 27,199 to approve the proposed employment contract and stock option agreement for Harry Cohn, president, which he subsequently declined. Proposed contract was for a five-year period at $3,500 weekly and expenses of $300 weekly. Option agreement would have granted

(*Continued on page 4*)

Columbia Production Costs Down by 30%

Production economies undertaken by Columbia since last August, when the British *ad valorem* tax was imposed, resulted in savings of over 30 per cent, A. Schneider, vice-president and treasurer, told company stockholders at their meeting here on Friday. Meanwhile, Schneider said, the company's film inventory is now larger than it has ever been.

Schneider predicted that Columbia will show a profit in 1948. He said the company intends to produce in England as a means of using unremittable earnings.

Trials of 10 Held In Contempt Start Today; Lawson 1st

Washington, April 11.—John Howard Lawson, first of 10 Hollywood writers, directors and producers charged with contempt of Congress during the House Un-American Activities Committee hearings last fall, will go on trial tomorrow in U. S. District court here. Trial of the other nine will follow in order.

Defense counsel estimate Lawson's trial will take two or three weeks. Assistant U. S. District Attorney William Hitz, who will handle the Government's case says, however, that it could last as little as three days.

Hitz hopes to get to his first witness, House Un-American Activities Committee chairman J. Parnell Thomas, late tomorrow.

On Friday, Judge Pine denied a defense motion for a "two or three-

(*Continued on page 4*)

Independents Call Trade Ads 'Vital'

Philadelphia, April 11.—Distributors are sharply criticized in an Allied of Eastern Pennsylvania bulletin for cutting down on advertising "all along the line—in trade papers, in direct advertising to the public, and in cooperative ads with exhibitors."

"There is no industry in America

(*Continued on page 4*)

Most Australian Imports from U. S.

Sydney, April 7 (By Airmail).—The U. S. supplied Australia with 293 of the 342 features imported in 1947, it is revealed by the Commonwealth Film Censor. This is 26 less than the U. S. sent in 1946. Total imports for 1947 are 42 less than for 1946. This decrease is attributed to the dollar position.

British films imported totaled 36, six less than the previous year.

House Considering New Tax Revisions

Washington, April 11.—House Ways and Means Committee, writing a new tax revision bill, has agreed to change the present system of a two-year carry-back and two-year carry-over of net operating losses to a one-year carry-back and five-year carry-forward. At the same time, the committee will attempt to provide a more liberal basis for determining losses. The committee is also considering a proposal to cut taxes on firms making less than $75,000.

Tentative agreement has been reached on suggestions of the Treasury Department that domestic corporations be allowed to apply the present dividends-received credit to more dividends received from foreign firms.

Week-Long Variety Meet Opens in Miami Today

Miami Beach, April 11.—Twelfth annual convention of Variety Clubs International will get under way at the Roney Plaza Hotel here tomorrow, with upwards of 2,000 "barkers" and their wives attending. Convention will extend through Saturday. Presiding will be international chief barker Robert J. O'Donnell, and international "big boss" John H. Harris, who is one of the 11 who founded the club in Pittsburgh in 1928.

Thirty-three clubs in the U. S., Canada and Mexico will be represented. Barkers of Variety Club of

(*Continued on page 4*)

Rep. Curtis Urges Cut in Excise Tax

Washington, April 11.—Representative Curtis of Nebraska, member of the influential House Ways and Means Committee, on Friday called for an immediate return to pre-war excise tax rates, including restoration of the 10 per cent levy on amusements, from the present 20 per cent war-time rate.

SAG Halts Pact Negotiations With Studios

Alerts Membership for Possible Strike Aug. 1

Hollywood, April 11.—Breaking off contract negotiations with major producers, the Screen Actors Guild today prepared its membership for possible strike action next August.

Refusal by the producers to negotiate on seven points which the Guild considers its "most vital proposals" was cited by the board of directors in a report mailed to SAG members as the reason for discontinuing the talks.

Pointing out that strike meetings now would be "premature" in view of the fact that the SAG cannot walk out of the studios before expiration of the present interim agreement on Aug. 1, the board said that the situa-

(*Continued on page 4*)

Sees Films Working Out Blocks Abroad

Hollywood, April 11.—Declaring that neither the American nor any other film industry "can be profitably conducted on revenue from the domestic market alone," Motion Picture Association of America president Eric Johnston told the press here at the weekend: "We still are confronted by many problems on the world market front, but the pattern for working them out is beginning to emerge as a result of our deals with England and other countries."

In reply to a query whether Ameri-

(*Continued on page 4*)

Lefko and Bonnem Promoted by FC

B. G. Kranze, Film Classics' sales chief, has promoted George Lefko from Indianapolis branch head to sales head of the Detroit branch. Fred Bonnem, formerly in charge in Detroit, has resigned.

Sam Abrams, salesman, was named manager in Indianapolis, while Ray Thomas joins the company as salesman under Abrams.

S.R.O.'s "Mr. Blandings builds his Dream House"

A SMASH HIT AT THE ASTOR!

Personal Mention

PHIL REISMAN, RKO Radio foreign distribution chief, will sail for Europe on Wednesday on the *SS America*.

•

JANET CAROL SACHSON, daughter of ARTHUR SACHSON, Samuel Goldwyn Productions general sales manager, and MARVIN ZUCKERMAN were married yesterday at Woodmere, N. Y.

•

A. M. CANE, Paramount assistant Eastern division manager, and EDWARD RUFF, Albany branch manager, were in Gloversville, N. Y., at the weekend.

•

MAURICE BERGMAN, Universal-International Eastern advertising-publicity director, has left New York for a rest.

•

ROBERT W. COYNE, Theatre Owners of America executive director, is due back in New York today from Sandusky, O.

•

P. J. WOOD, ITO of Ohio secretary, has returned to his Columbus office following a Florida vacation.

•

SAM SHIRLEY, special M-G-M sales representative in Los Angeles, is in New York.

•

MITCHELL RAWSON of M-G-M's publicity department has returned to New York from Washington.

•

HARRY RAPF, M-G-M producer, and his wife are due here next Monday from Hollywood.

•

BUDD ROGERS, Realart distribution vice-president, has been named to the board of directors.

•

JACQUES KOPFSTEIN, Astor Pictures executive vice-president, has returned to New York from the Coast.

Hail Reade Drive as Public Relations Aid

Walter Reade Theatres' six-week 40th anniversary jubilee provided an advance idea of the joint public relations drive planned by the Theatre Owners of America and the Motion Picture Association of America, Walter Reade, Jr., told the circuit's district and city managers at their monthly meeting here.

Reade said that the campaign proved successful in combatting the public feeling that films are not as good as they used to be. During the jubilee, the circuit promoted the theme that "Movies are still your cheapest and best form of entertainment" and that current product is the best in the circuit's history.

Gerard Joins U-I Here

Phil Gerard has resigned from the M-G-M exploitation department to join Universal-International's publicity department here effective today. Paul Kamey of the M-G-M publicity staff takes over Gerard's duties.

Tradewise . . .

By SHERWIN KANE

THE double defeat of the Lewis Bill, the Allied States measure designed to transfer the Ascap theatre music tax to producers (who assert they would re-transfer it to theatres as part of film rentals), carries with it yet another lesson in the need for exhibitor unity and cooperation on matters affecting all of exhibition and those affecting the industry as a whole.

Members of the House judiciary sub-committee who voted to report the bill adversely attributed their action almost wholly to the lack of solid exhibitor support of the measure. The Lewis Bill was opposed by Theatre Owners of America. The subcommittee obviously was anxious to help theatre owners in their fight against Ascap but the split in exhibitor ranks convinced it that the Lewis Bill was not the way to do it.

Committeemen concluded they would be doing exhibition no service by foisting upon exhibitors an unwelcome law.

•

There was ample opportunity to achieve exhibitor unity on a program of action, legislative or otherwise, against Ascap. Several months intervened between Ascap's announcement of its intent to seek higher music tax rates from theatres and the first organized exhibitor reaction. TOA, convening in Washington last September, invited all other interested exhibitor organizations to confer on a program of action against Ascap. The response, or lack of it, was discouraging to all interested in seeing exhibitor unity achieved at least on those problems affecting all of exhibition.

Thereafter, TOA, acting upon the mandate of its convention, proceeded to negotiate with Ascap and succeeded in winning the existing reasonable rate increases of a few cents per seat, in place of the 300 per cent increase originally sought by Ascap.

Allied pursued its own course, without, insofar as the record shows, asking the participation or cooperation of any other organization. The introduction of the Lewis Bill was the major culmination of that policy. Preparation of the bill was unaccompanied by any fanfare whatever and its existence became generally known only when its introduction was reported by trade press correspondents.

TOA's convention policy with respect to Ascap did not restrict that organization to negotiation of lower rates. That course was decided upon as the best way of meeting the immediate problem. A long range program consisting of legislation, litigation or both also was authorized.

Thus, had any serious attempt been made to attain exhibitor unity on the long-range Ascap problem, TOA would not have been barred by its convention mandate from participating. It is apparent now that had there been such an effort, and if it had succeeded, the Lewis Bill could not have been the result. Too many exhibitors saw no solution of the problem in the hiding of the music tax within an increased film rental.

The joint exhibitor effort, therefore, must have produced a more fortunate legislative result, which in the light of recent happenings would have been all to the good. Even Rep. Lewis, following the second defeat of the bill which bears his name, could say only that he was sure "similar" (not the same) legislation eventually would be accepted by exhibitors.

• •

There is now another opportunity for exhibition to profit by past mistakes, to benefit from experience.

Many segments of the industry are presently engaged in the shaping of an all-industry public relations program. It has no other aim but to counteract an accumulation of several months of bad publicity for the industry and its product which has had and continues to have effect on theatre attendance. It will endeavor to repair the damage done to ticket sales.

The program, it appears, will revolve mainly about "accentuation of the positive." For example, outstanding product, than which there is no better industry ambassador, will be called to the attention of theatre patrons everywhere. It is hoped that the good word about the industry will be spread principally on the local level and by exhibitors.

TOA already is making a major contribution to this all-industry project. Other exhibitor organizations and exhibitors who are not members of any organization can play an equal role in the all-embracing program.

It is a bright opportunity for all those who are not averse to helping their industry while benefiting themselves.

Newsreel Parade

THE Harold Stassen primary victory is a current newsreel highlight. Also reviewed is the tense international situation, as well as important national news. Complete contents follow:

MOVIETONE NEWS, No. 29—Harold Stassen sweeps G.O.P. primary in Wisconsin. Twenty-one Western h[illegible]here nations meet. Military parade [illegible]nome. Paul Hoffman heads ERP. Mrs. R[illegible]sevelt meets Royal Family. Prince Regent Charles here. Baby elephant. Sports: water skiing, horse racing.

NEWS OF THE DAY, No. 263—Gen. Eisenhower in plea for strong U. S. Army Day parade in nation's capital. Harold Stassen victory livens G.O.P. presidential race. Paul Hoffman heads recovery plan. Conference at Bogota. Fashions. Water ski champ.

PARAMOUNT NEWS, No. 66—Water classics: skiing. Paul Hoffman heads ERP. Secretary Marshall leads U. S. at parley of the Americas. Primary upset in Wisconsin. Pictures of Soviet-British plane crash in Berlin.

UNIVERSAL NEWS, No. 133—Harold Stassen wins Wisconsin primary. President Truman reviews Army Day parade. U. S. warships visit Greece. Conference opens at Bogota. Belgium's Regent visits Capital. Paul Hoffman heads aid program. Fifty-one dead in Jap railroad wreck. Royal Family greets Mrs. FDR. Bird migration. Water skiing.

WARNER PATHE NEWS, No. 68—Harold Stassen wins Wisconsin primary. Plane crash heightens tension in Berlin. Paul Hoffman heads foreign aid program. Mrs. FDR visits Royal Family in England. President Truman welcomes Belgium's Regent Prince Charles.

Critics Elect Santucci

ROME, April 7 (By Airmail).—Dr. Argeo Santucci, MOTION PICTURE DAILY and *Motion Picture Herald* correspondent in Italy, has been elected to the steering committee of the board of the Sindacato Giornalisti Cinematografici, organization of film journalists. The election, one of many in Italian trade and union organizations, was another illustration of the trend away from Communist domination.

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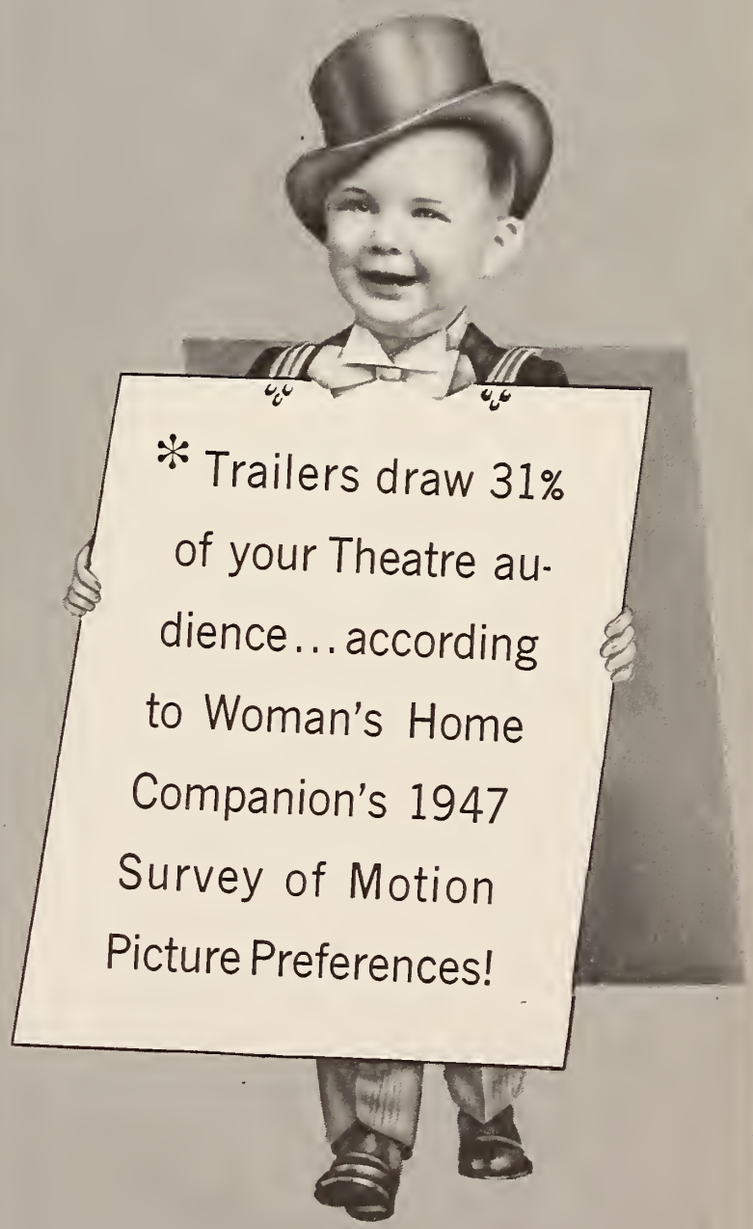
MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Trailers are your Best Buy in Advertising *



NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

Trade Ads 'Vital'

(*Continued from page* 1)

which can hold a candle to the motion picture business when it comes to doing downright queer things," Allied observes in the bulletin, adding:

"The advertising that the producer-distributors do in trade journals is vital to arouse the interest of exhibitors. Their advertising—directed to the public—is a necessary part of the industry's appeal for support of its product. The advertising that the exhibitor does frequently means the difference between the success and failure of a lot of pictures."

The bulletin calls for "a return to the glorious days when pictures were really advertised and publicized, and when penny-wise and pound-foolish economy was not the ruling passion. There would have been no need for a special campaign to tell the public that the popular priced picture is the public's best entertainment. There would have been no reason to wait until the business went into a tailspin and the box-office skidded before a general advertising campaign was started," the bulletin said.

"American business builds on the principle that confidence in a product is usually measured by advertising support of this product. How can distributors expect exhibitors to really sell product if they themselves do not pre-sell it?"

SAG Halts Talks

(*Continued from page* 1)

tion "does not look favorable for a new contract."

Proposals on which the guild says producers declined to negotiate are: "reasonable restrictions" on reissues to curb unemployment of actors caused by these reissues; a "temporary stop-gap clause" to prevent use in television of films made for theatre exhibition, until an agreement is reached providing that actors share in additional revenue from the new medium; a ban on loan-outs of contract players without the actor's consent; reduction in the length of term contracts; reform of the option system to correct abuses; recognition of the right of actors to perform in other branches of the amusement industry, such as radio and television, and to retain fees paid him for such services; a ban against bringing pressure on a contract actor by forcing him into "obviously inferior roles."

The Guild said it had placed these proposals first during the negotiations on the ground that discussions on other points would be fruitless if these were not settled satisfactorily.

Dinner for Levy

NEW HAVEN, April 11.—Herman M. Levy, general counsel of the Theatre Owners of America, will be given a testimonial dinner on May 6 at the Racebrook Country Club here by his friends in films and politics.

Crest Prod. Formed

LOS ANGELES, April 11.—Jack Skirball, Bruce Manning and Charles Wendling have filed incorporation papers for Crest Productions, announcing "Soft Touch" with Claudette Colbert as its first picture.

Davis Quits Republic

ATLANTA, April 11.—Merritt Davis has resigned as Southern district manager for Republic and is being replaced by James Hobbs, former Republic branch manager here.

Turning That Corner

Albany, N. Y., April 11.—Howard Goldsmith, has been promoted by RKO Radio from head booker-office manager to salesman and William Murray, former assistant booker of 20th Century-Fox, was named to Goldsmith's old post.

Appointment of Goldsmith makes RKO the first company here to go back to two salesmen after cutting to one.

Trials of Ten Start

(*Continued from page* 1)

day postponement" in Lawson's trial. He also turned down a motion by attorneys for Dore Schary, under defense subpoena, to quash the subpoena on the ground Schary must stay with his critically-ailing mother. It was agreed that Schary can remain on the West Coast until needed, but must appear on 24-hour notice.

Defense attorneys at the opening of the trial tomorrow will make two motions, both likely to be denied. One will be to remove the trial from the District to some other "less prejudiced" area. This was made once before and was denied. The other motion will be to quash the jury panel as not being properly selected.

Un-American Activities Group Recommends Outlawing 'Reds'

WASHINGTON, April 11.—House Un-American Activities Sub-committee has reported out legislation to curb the Communist Party, which it said "constitutes a clear and present danger to our national security."

The committee also urged the Justice Department to prosecute Communists more and recommended enactment of anti-Communist bills now pending in other Congressional committees, including one to raise the penalty for contempt of Congress.

Johnston

(*Continued from page* 1)

can production in England would produce unemployment in Hollywood, Johnston said his survey of British studio facilities indicated that not more than 12 American films could be made in London annually. He predicted a betterment in conditions due to the recent deal with Britain would result in an increase, rather than a decrease, in the number of pictures produced here. Countering local estimates, he said the overall employment picture in Hollywood shows craft employment down only 15 per cent from its peak.

The MPAA head reiterated his rejection of a request from the Pacific Coast Conference of Independent Theatre Owners to bar players from appearing in political films.

He left for Washington over the weekend.

Collins Rites Today

Services will be held this morning at St. Agnes Church here for Richard Collins, 55, assistant manager of the Capitol Theatre, who died Friday after a brief illness. Burial will be at Long Island National Cemetery, Farmingdale, L. I. Collins, with the Capitol 26 years, is survived by the widow, two sons, a sister and a brother.

PCCITO Trustees to Meet in May in L. A.

SAN FRANCISCO, April 11.—Trustees of the Pacific Coast Conference of Independent Theatre Owners will hold their next meeting in Los Angeles early in May, it was decided at the close of the PCCITO convention here at the weekend.

While the convention failed to take up the subject of film rentals, sales policies figured in the discussions only in a reaffirmation of the organization's position in fashioning a workable sales formula. A previously appointed committee announced that it was drawing up final action to bring the plan before the industry.

A committee was set up to follow the trend of television in nine Western states and to study application of video to theatres. Members of PCCITO will be informed of developments by a monthly bulletin.

First Telecast of 20th's Reel in L.A.

LOS ANGELES, April 11.—Telecasts of 20th Century-Fox's television newsreel begin in the Los Angeles area tomorrow, under sponsorship of the Leo J. Meyberg Co., RCA distributor. The reel will be seen through the Paramount-owned station KTLA five evenings a week.

The Los Angeles outlet brings the total number of video stations playing the Movietone television edition to seven.

Golden State Deal

(*Continued from page* 1)

per cent of the more than 125-theatre Northern California circuit.

Naify acquired the interests of his former Golden State partners, Eugene Emmick and Robert A. McNeil, last October for $12,000,000. In the current negotiations Naify is asking $115 more per share than in the original deal, with six months leeway to take advantage of long-term capital gains. The bulk of the money is being put up by Reynolds. Even if the deal is closed as promptly as is now expected, it would not go into effect until June.

A new bid for the circuit by Ted Gamble was rejected by Naify recently because no working agreement could be reached. Joseph M. Schenck, who also made overtures for the circuit earlier, is said to be still interested. Charles Skouras is a stockholder in Golden State.

Protest Censor Bill

Advertising Advisory Council of the Motion Picture Association of America has added its protest to the proposed Cuningham Bill to enlarge the censorship powers of New York City License Commissioner Fielding over theatrical exhibitions and their advertisements, including motion pictures. In a telegram to city officials Charles Schlaifer, chairman of the council, declared that such legislation "would endanger civil liberties and free expression."

Buys E-L Reissues

Armand Schneck's Madison Pictures has acquired from Pathe Industries the entire Eagle-Lion-PRC 1942-'43 and 1943-'44 programs.

Cohn Pact

(*Continued from page* 1)

Cohn rights to purchase 75,000 shares of common at $16 per share, about $4 above the present market value.

The board, which approved the contract and option, had asked the stockholders to vote on it although it was not legally obligated to do so. However, after the meeting Cohn issued a statement that he did not wish to proceed with the proposed contracts. The vote favoring them, he indicated was not substantial enough to satisfy him, notwithstanding the fact that [illegible] per cent of the outstanding shares were voted in approval while only 4.26 per cent voted to disapprove, and 22.25 per cent were not voted. Of the 469,184 favorable votes, some 271,744 were representative of company officers and directors.

Cohn said: "I am unwilling to proceed with the consummation of a contract which may cause even a small minority of stockholders to feel that their interest would be better served by some other type of deal. Accordingly, I have withdrawn my offer embodied in the contract now before the Board of Directors."

Cohn has not had a written employment contract with the company since July, 1945.

The stockholders re-elected the following directors: Harry Cohn, Jack Cohn, executive vice-president; A. Schneider, vice-president and treasurer; N. B. Spingold, vice-president in charge of advertising-publicity; A. Montague, distribution vice-president, and Leo M. Blancke and Donald S. Stralem.

Columbia Pfd. Dividend

Columbia's board of directors, meeting here at the weekend, declared a quarterly dividend of $1.06½ per share on the $4.25 cumulative preferred stock, payable May 15 to stockholders of record on May 1.

Variety Meeting

(*Continued from page* 1)

Miami, Tent No. 33, headed by Mitchell Wolfson, general convention chairman, and George C. Hoover, chief barker here, will greet the visiting showmen.

Tomorrow's meeting will be attended by International officers and canvassmen. A get-acquainted party will be held in the evening, with Mrs. Ed Claughton and wives of other local barkers as hostesses. A stag dinner will get underway later in the Alcazar Hotel. Business meetings will be held each subsequent day except Saturday. Highlight of a series of social events will be the stag convention banquet at the Steak House here, Saturday, at which the winner of the Humanitarian Award will be announced.

Hails Ruling in Move to Bar Film

Commenting on the decision of a Tulsa, Okla., Court Friday, denying a temporary restraining order against the showing of "Gentleman's Agreement" at the Orpheum in that city, Andrew W. Smith, general sales manager of 20th Century-Fox, said: "Had the decision been otherwise a blow would have been struck at free and forthright expression on the part of any public medium of communication or entertainment."

The suit for an injunction was brought by Gerald L. K. Smith, based on a reference to him in the film.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. [illegible]. NO. 71 — NEW YORK, U.S.A., TUESDAY, APRIL 13, 1948 — TEN CENTS

Britain Turns Down State Film Bank

Wilson Hopes for 'Other' Aid for Producers

LONDON, April 12.—The British government has examined the possibility of setting up a state film bank for financing film production but has decided it would be hopeless to operate with governmental money in view of the difficulty of ensuring "completion guarantees," Harold Wilson, president of the British Board of Trade, told the Association of Cine-Technicians.

Wilson repeated his earlier assurance that the British tax

(*Continued on page 3*)

Apathy Greets ACT Communist's Rally

LONDON, April 12.—Communist-influenced elements within the Association of Cine-Technicians were able to excite only a minimum of public attention today with a drum and fife parade and rally held in conjunction with ACT's meeting here. A pronounced anti-American tinge marked the political proceedings.

However, orthodox trade unionists among the ACT membership protested the "Red tinge" given the association by Communist sympathizers. Meanwhile, Tom O'Brien, secretary of the National Association of Theatrical and Kine Employes, ACT member unit, continues to proclaim that ACT is in itself a Communist menace.

$4-Million UK Film 'Take' in U.S. in '47

London, April 12.—British films earned $4,000,000 in the U. S. last year, most of which was invested locally to leave an eventual remittance to Britain of $1,000,000, it was revealed here today by British Board of Trade president Harold Wilson.

Lawson Trial, First Of Ten Contempt Indictments, Opens

WASHINGTON, April 12.—The trial of motion picture writer John Howard Lawson for contempt of the House Un-American Activities Committee opened today with defense counsel failing in attempts to obtain a change of venue and a new judge. Lawson is charged with failure to disclose whether or not he is or ever has been a member of the Communist party during the hearings last fall on Communist activity in Hollywood.

First motion of defense counsel Robert W. Kenny was to ask Justice Edward M. Curran to disqualify himself on grounds of bias and prejudice because he had prosecuted similar cases initiated by the committee while serving as U. S. Attorney for the District of Columbia. The motion followed a sudden reassignment of the case from Justice David A. Pine to Judge Curran.

Judge Curran denied that motion

(*Continued on page 3*)

John J. Friedl Dead After Long Illness

MINNEAPOLIS, April 12. — John J. Friedl, longtime president of the Minnesota Amusement Company, a Paramount affiliate, died here today after suffering a cerebral hemorrhage.

Friedl had been ill for sometime and many months ago retired from his post in an effort to regain his health.

Cohn Spikes Reports Of Deal with Hughes

Hollywood, April 12.—Harry Cohn, Columbia president, today declared that his holdings in Columbia are not for sale in response to trade reports that Howard Hughes is negotiating for purchase of the company. Reports linking Hughes with Columbia presumably sprang from a statement by him to the effect that he is determined to acquire one or another fully-complemented producing-distributing company.

N. Y. Grosses Hold Up Well

Business is active at Broadway's first-runs, rainy weather notwithstanding. In general a week of good grosses is anticipated, only a few houses suffering seriously from yesterday's and Sunday's rains.

Still solid at the Capitol is "The Naked City," combined with Tex Benecke's band on stage; $80,000-plus is seen for the sixth week. Also continuing strongly is "I Remember Mama," plus a stage show, at Radio City Music Hall with $123,000 expected for a fifth week. "Winter Meeting" is due to register a nice

(*Continued on page 6*)

Capital-Gains Companies to Settle Claims

Treasury Studied 50; Gets Millions in Taxes

HOLLYWOOD, April 12.—Most if not all of the so-labeled "one shot" independent producing organizations set up in 1945 and 1946, allegedly for purposes of obtaining tax benefits for individuals under the capital-gains classification, have made or are negotiating settlements with the Internal Revenue Department, which threatened to bring suit to determine whether the companies were incorporated primarily for tax-escape purposes, it is learned authoritatively.

Although George Martin, revenue agent here in charge of tax evasion investigation, and whose authority par-

(*Continued on page 3*)

Allen Usher to File $275,000 Trust Suit

CHICAGO, April 12.—Allen Usher, former Paramount district manager, will file an anti-trust suit asking treble damages of $275,000 and injunctive relief, his attorney, Seymour Simon, said today.

Usher, owner since January of the Sprague Theatre, Elkhorn, Wis., charges that defendant-owned theatres in Lake Geneva and Delavan, Wis., are given clearance over Elkhorn,

(*Continued on page 3*)

Bob O'Donnell Slated to Head Variety Clubs Again

By RED KANN

MIAMI BEACH, April 12.—Robert J. O'Donnell, international chief barker of Variety Clubs since February, 1943, wil be returned to that post for another year unless an upset, not now foreseeable, develops. Election of officers is slated for Friday.

The San Francisco delegation wants next year's convention and will campaign accordingly, but there's nothing exclusive about it. Mexico City has the same idea.

About 600 barkers hit town Sunday in various special trains, adding to

(*Continued on page 3*)

FP-Canadian Profit $3,156,446 in 1947

TORONTO, April 12.—In its financial report for the 53 weeks ended Jan. 3, Famous Players Canadian today reported lower gross income of $5,875,474, compared with $6,042,000 for the comparative 1946 period. But net profit was higher at $3,156,446 last year, as against $2,834,956 in 1946, because profits taxes were proportionately lower, the report said.

The 1947 profit was equal to $1.81 per share, while the preceding year's was equal to $1.63 a share.

Sonnett Mentioned For U.S. Judgeship

Washington, April 12.—President Truman is reported to be considering nominating John F. Sonnett, Assistant Attorney General in charge of anti-trust laws, to be Federal Judge in the Southern District Court of New York.

If Sonnett is named to the post, present plans are for assistant John Ford Baecher to take over Sonnett's job.

read LIFE on S.R.O.'s "MR. BLANDINGS BUILDS HIS DREAM HOUSE" S.R.O.

Coming Events

Today through Saturday—International Variety Clubs convention, Roney Plaza Hotel, Miami Beach Hotel, Miami Beach.
April 14—Installation of officers of the Cinema Lodge of B'nai B'rith, Hotel Astor, New York.
April 19-21—Third National Television Institute, Hotel New Yorker, New York.
May 4—Independent Theatre Owners of Arkansas annual convention, Little Rock.
May 2—Jewish Theatrical Guild dinner to Walter Vincent, Hotel Astor, New York.
May 7-8—Independent Theatre Owners of Iowa and Nebraska convention, Des Moines (Iowa section).
May 10-11—Allied Independent Theatre Owners of Iowa and Nebraska convention, Omaha (Nebraska section).
May 18-19—Allied Rocky Mountain ITO convention, Denver.
May 17-21—SMPE semi-annual convention, Santa Monica, Cal.
May 21—Motion Picture Associates annual dinner-dance, Waldorf-Astoria Hotel, New York.

Eyssell Hosts Rogers Memorial Executives

Executive board members of the Will Rogers Memorial Hospital were guests of G. S. Eyssell, president and managing director of Radio City Music Hall here at a luncheon in the theatre's studio apartment yesterday.

In addition to board members, representatives of film companies and independent theatre groups were also present to discuss financial plans for the industry's hospital at Saranac, N. Y.

Seidelman to London On E-L Sales Policy

Sam Seidelman, Eagle-Lion foreign distribution general manager, will fly to London tomorrow to confer with J. Arthur Rank Organization and Pathe chiefs and to set sales policies on E-L distribution in the United Kingdom by those companies. He will also confer with heads of Rank's organization who handle Eagle-Lion product on the Continent and in the Far East.

Joe Marks to Canada

LONDON, April 12.—Joe Marks, general sales-manager of London's Pathe Pictures, leaves Britain on the *S.S. Queen Mary* on April 30, to settle in Canada with Mrs. Marks and their two children. Marks was on the sales staff of RKO Radio here from 1930 until he joined Pathe in 1944.

Ad Rates Raised 15%

PITTSFIELD, Mass., April 12.—Theatre managers here have been informed that advertising rates of the *Berkshire Evening Eagle* have been raised 15 per cent.

Personal Mention

FRANK CAPRA is in New York from Hollywood.

•

JAMES BRENNAN, JR., son of the late JAMES BRENNAN, who was RKO Radio Eastern division manager, has joined the managerial staff of Walter Reade Theatres in Asbury Park, N. J.

•

GAR O'NEIL, well-known in industry advertising circles, has joined Wiley, Frazee, Davenport, Inc., advertising agency here, in an executive capacity.

•

ZEVA YOVAN, formerly assistant manager at Loew's Theatre, Indianapolis, has been appointed manager of Loew's Orpheum, St. Louis.

•

R. M. (BOB) SAVINI, Astor Pictures president, is in Miami from New York.

•

LEO SELIGMAN, treasurer of Favorite Films, will return to New York next Monday, from Miami.

•

BERNIE MYERSON, Fabian's Staten Island booker, is the new father of a boy, ALAN RANDALL.

•

JACK ROMANER, assistant to LOU KAUFMAN, of Warner Theatres, is a father for the second time.

•

JAMES A. CRON has left his advertising managerial post at *Showmen's Trade Review* here.

•

BILL SCHULMAN, Realart advertising-publicity director, has returned here from Boston.

•

MONTAGUE SALMON of the Rivoli here will be marshal of an Appeal for Children Parade on April 23.

•

BEN Y. CAMMACK, RKO Radio Southern division manager, Dallas, has been visiting in Memphis.

•

HAROLD LANE of the State Theatre, Crothersville, Ind., will undergo an operation Friday.

•

BEN HENRY of Universal, London, and MRS. HENRY arrived here last night from England.

•

IRVING SOCHIN, U-I Cincinnati branch manager, has become a father for the third time.

•

EDDIE CANTOR will be honored by B'nai B'rith at a testimonial in Hollywood tomorrow night.

•

ROY O. DISNEY president of Walt Disney Productions, is in New York from the Coast.

•

TOM ROGERS of M-G-M's publicity department has returned here from Phoenix, Ariz.

•

J. ROBERT RUBIN, M-G-M vice-president, is due back here April 21 from the Coast.

•

ROUBEN MAMOULIAN is in New York from Hollywood.

•

AL ZIMBALIST, Film Classics advertising - publicity manager, will leave here today for Charlotte.

•

C. B. AKERS, Hobart, Okla., theatre operator and vice-president of Theatre Owners of Oklahoma, is campaign manager for former Gov. ROBERT S. KERR, who is seeking Democratic Senatorial nomination in that state next July.

•

B. G. KRANZE, Film Classics sales chief, will go to New Haven today to discuss his company's product with I. J. HOFFMAN Warner theatres' zone manager there.

•

MARVIN SAMUELSON has resigned as Warner theatre assistant booker in Cleveland to join Ohio Theatre Service, buying-booking-management cooperative.

•

ROBERT W. CASE, Walter Reade Theatres city manager in Kingston, N. Y., has been named Ulster County theatre chairman for the American Cancer Society's fund drive.

•

RALPH W. MAW, field assistant to BURTUS BISHOP, JR., Midwestern M-G-M sales manager, has returned to Minneapolis after a month at the home office.

•

CHARLES VUKOVICH has been appointed assistant to ROBERT HADLEY, Eagle-Lion home office advertising department art director.

•

RALPH TRATHEN of the Salt Lake Tower Theatre has been named general manager of Associated Amusements, tri-state drive-in operators.

•

HARRY WHITESTONE has sold his Fair-Mount Theatre, Fair-Mount, Ga., to CARTER LAW, former owner of the Jasper, Jasper, Ga.

•

ALAN F. CUMMINGS, in charge of M-G-M exchange operations, is in Detroit for a few days, from New York.

•

ANN G. D'ASCOLI of the Eagle-Lion accounting department will be married in the fall to MICHAEL CANDIDO, JR.

•

J. H. RAMPY and MRS. RAMPY have taken over the Roberta Theatre, Roberta, Ga.

•

R. M. KENNEDY, Wilby-Kincey district manager, has returned to Birmingham from New York.

•

TED MINSKY has been named film buyer and booker for Warners Ohio zone, succeeding TONY STERN.

•

SYD BOEHM and LUTHER DAVIS, M-G-M writers, are due here from the Coast tomorrow by plane.

•

EARL HANNAH of the Strand, Thompsonville, Conn., is en route to Arizona for a month's stay.

•

SIDNEY HYAMS of Eros Films, and MRS. HYAMS are here from London.

United Amusements 1947 Net, $262,511

OTTAWA, April 12.—United Amusement Corp. reports a net profit of $262,511 in the year ending on January 3, compared with a net of $254,899 the previous year.

Gross income was $1,494,384, against $1,535,098 in the previous year. Current assets total $361,349 and current liabilities, $206,520.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES Oscar HOMOLKA Philip DORN
Produced by HARRIET PARSONS
SPECTACULAR STAGE PRESENTATION

"APRIL SHOWERS"
JACK CARSON ANN SOTHERN
IN PERSON CLAUDE THORNHILL AND HIS ORCH.
Extra! MOREY AMSTERDAM
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

BETTE DAVIS
IN WARNER BROS. NEW SUCCESS
"WINTER MEETING"
with JANIS PAIGE • JAMES OAVIS
DIRECTED BY BRETAIGNE WINDUST • PRODUCED BY HENRY BLANKE
WARNER THEATRE
B'way 51st • Opens 10:30 AM • Late Midnight Film

Academy Award Winner
LORETTA YOUNG
Best Actress Of The Year for her performance in
'The FARMER'S DAUGHTER'
1947
SPECIAL ACADEMY AWARD ENGAGEMENT
RKO PALACE
BROADWAY & 47th ST.

RUSSELL JANNEY'S 'THE MIRACLE OF THE BELLS'
starring FRED MacMURRAY Valli FRANK SINATRA
Released by RKO RADIO PICTURES
RIVOLI B'way at 49th St.

ALAN LADD and VERONICA LAKE in "SAIGON"
A Paramount Picture
in Person THE MILLS BROS. DEAN MURPHY THE COLSTONS BUDDY RICH And His ORCHESTRA
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Sees Thomas Probe Reopening by June

WASHINGTON, April 12.—Robert E. Stripling, chief investigator for the House Un-American Activities Committee, today disclosed the probable reopening of the Hollywood hearings before the end of the present session of Congress.

Stripling declared that despite the numerous probes which Chairman J. Parnell Thomas listed for committee consideration last week, the motion picture hearings would undoubtedly open in Washington before June.

Lawson Trial

(*Continued from page* 1)

and another by Kenny for a continuance in order to appeal to the Court of Appeals for a writ of mandamus.

Defense attorney Charles Katz of Los Angeles pleaded for a change of venue but Judge Curran stated that he doubted the existence of sufficient prejudice in the District of Columbia to prevent Lawson from obtaining a fair trial.

Defense counsel Ben Margolis, Los Angeles, also attempted to show through questioning of Col. Edward Loring Bliss of the District of Columbia Jury Commission that there is "intentional and systematic exclusion" of certain classes of individuals in the selection of jury panels.

The prosecution is being conducted by Assistant U. S. Attorney William B. Hitz. The battery of defense attorneys, in addition to Kenny, Katz and Margolis, includes Morris Cohen, Los Angeles, Kenny's partner; Bartley C. Crum, San Francisco; Martin Popper, Washington, and Samuel Rosenwein, New York. According to Kenny, it may take two weeks to conclude the first trial.

Lawson is the first of 10 indicted Hollywood persons to stand trial on the contempt charges resulting from the House Un-American Activities Committee investigation of Hollywood last Fall.

Capital Gains

(*Continued from page* 1)

allels that of the local Collector of Internal Revenue, refused to be interrogated on the matter, reliable sources affirmed that all cases in this category are being dealt with in elaborate secrecy and that the Treasury Department's policy is to direct all effort toward collecting monies improperly withheld with a minimum of publicity.

Dependable informants said investigation of the many cases included in the first wholesale charges of intent to evade income tax payment by means of forming a corporation to make one or two pictures within a year and disbanding it thereafter, disclosed that some of them were bona fide organizations, while others clearly were fraudulently conceived. Estimates of the number of companies investigated ranged as high as 50. A rumor that one of them has made a $5,000,000 settlement could not be verified. None of them have been named in court actions.

'Seas' to Devonshire

BOSTON, April 12.—Devonshire Films has acquired distribution rights for the United States and Canada to "High Seas," formerly released under the title "Adventures of Martin Eden."

Arrest Exhibitor for Defying Sunday Ban

CHICAGO, April 12.—For defying a ban on Sunday shows in Zion City, Ill., Onnie L. Bridges, president of the Zion Theatre, was arrested yesterday and released in $100 bond to await a hearing.

Bridges contended the Zion "Passion Play" is conducted on Sundays and charges admissions, and the city ordinance which forbids business on Sunday is violated by other lines. The house was opened New Year's following a petition by Zion voters and is the only theatre in Zion City.

Butler Is Elected Film Club President

SALT LAKE CITY, April 12—Warren D. Butler of the Lyric Theatre was elected president of the Salt Lake Motion Picture Club, succeeding C. Clare Woods, Centre Theatre manager.

Others elected include Cliff Davison, RKO Radio, vice-president; Fred Weimar, National Screen, secretary; Frank H. Smith, Paramount, treasurer, and the following board members: Joe Nercisian, Donald V. Tibbs, W. G. Seib, Shirl Thayne and C. R. Wade.

WB Returns to 2-Man Sales Force in Albany

ALBANY, N. Y., April 12.—Warner Brothers has become the second company in the Albany exchange area to add a salesman after cutting to one, with the promotion of Harry Aranove, assistant booker, to the sales post. Dorothy O'Sullivan, secretary to the head booker, has been named assistant booker. RKO Radio previously advanced Harry Goldstein, its head booker here, to salesman.

O'Donnell Slated

(*Continued from page* 1)

those already on the scene and vacationing here. Registration, including many wives, topped 900 by Sunday evening and by tonight 1,000 were definitely in sight.

Incoming delegations were met by girls dressed in bathing costumes—that was for Florida—and by others bedecked in cowgirl outfits—that was for Texas. Tent No. 33, which is Variety Club of Greater Miami, is host under its chief barker, George C. Hoover. Mitchell Wolfson, general convention chairman, is much in evidence, making certain squawks remain at a minimum and all hands are contented.

International canvassmen, officers and representatives held two closed sessions at the Roney Plaza, official convention headquarters, today to discuss "Heart" reports and routine matters, assuring smooth sailing. Tent No. 33 gave them, plus chief barkers and delegates, a stag cocktail party and dinner in its Alcazar Hotel headquarters in Miami this evening. This was followed by a "Get-acquainted party" in the Roney for all registered delegates and visitors.

First general business meeting, a short one, will get under way tomorrow morning. Like all succeeding meetings, it will be open. A fashion show for the women in the afternoon, and Jai-Alai games in the evening round out the formalized program, which allows plenty of time for cabana-kibitzing and sun bathing.

Variety's mid-winter meeting will be held in New York in October.

TOA Backs Security Loan and Trailer

Theatre Owners of America is encouraging members in units across the country to cooperate with the Treasury's "Security Loan Drive," Robert W. Coyne, TOA executive director, disclosed here yesterday.

TOA, Coyne explained, will not engage in a national drive like industry's support for War Bond drives, but has asked members to cooperate on a local level. Meanwhile, TOA has approved a trailer to be shown for the drive.

Ask for Review of Dallas Tivoli Ruling

WASHINGTON, April 12.—Interstate Circuit, Texas Consolidated Theatres and seven major distributors today asked the U. S. Supreme Court to review a decision of the Fifth Circuit Court of Appeals allowing Tivoli Realty to prosecute its anti-trust suit against them in U. S. District Court in Delaware.

The Circuit Court had reversed a decision of a Texas District Court enjoining Tivoli from prosecuting the suit on the ground that both theatre circuits did practically all of their business in Texas, and that for this and other reasons continuing the case in Delaware would be oppressive and inequitable. Tivoli, which opened a theatre in Dallas in September, 1947, is seeking treble damages of $750,000.

Usher to File Suit

(*Continued from page* 1)

which assertedly prevents the Sprague from playing product until after both towns. D. F. Kelliher, former owner of the Sprague, also is a plaintiff.

Defendants are Standard Kenosha Theatre Co.; L. F. Gran, buyer-booker for Standard Theatre Management Co., which controls theatres in Lake Geneva and Delavan; 20th-Fox, Warners, RKO Radio, Columbia, Universal and Republic.

Sells Davidson Theatre

CHARLOTTE, April 12.—S. T. and F. C. Stough have sold their Davidson Theatre, Davidson, N. C., to a new company headed by T. A. Little and Frank H. Beddingfield of B. and L. Theatre Corp., which operates in the Carolinas, Virginia and Georgia. Extensive remodeling is planned.

Filmack Files in Albany

ALBANY, N. Y., April 12.—Filmack Corp. of Chicago has recorded a certificate with the office of the Secretary of State reporting establishment of a New York office for the conduct of a screen trailer and advertising business. Irving Mack is president of the company, which has authorized capital of $122,000.

$120,000 from Salvador

WASHINGTON, April 12.—U. S. distributors can expect about $120,000 from their films in El Salvador in 1948, the Commerce Department estimates. About $160,000 has been set aside by the government for all film rentals, and U. S. films account for 75 per cent of film imports.

CBS Has 12 Video Units; Largest Net

Adding nine more television affiliates to the Columbia Broadcasting System brings the CBS television station count to 12, said to be the nation's largest.

Three, in New York, Philadelphia and Baltimore, are now on the air.

Additional stations are in Dayton, Cincinnati, Columbus, Charlotte, Louisville, Binghamton, Stockton, Indianapolis and Dallas.

Winter to Rome for WE

Julius P. Winter, formerly contract manager in Paris for Western Electric, has been appointed vice-president of Western Electric of Italy. He is now in New York for conferences before leaving for Rome.

New Film Optical Plant

Film Optical has built a new optical studio here for Eastern film production and for telecasters.

Britain, State Bank

(*Continued from page* 1)

settlement agreement explicitly provides that American production here shall not go beyond the limits of fair competition or in any other way harm legitimate British interests.

After stating that a film bank was "out," Wilson expressed in vague terms the hope that the government will make arrangements presently for proper financial aid for qualified independent producers through orthodox channels. He said the possibility of government-owned studios is still being considered, but added that this would be possible only in the undefined future.

Wilson warned against "restrictive practices" by either management or labor, thereby inferentially telling the industry's trade unions to drop present wage demands and the union leaders to cease tyrannical practices.

He maintained that the present dislocation and unemployment in the industry here is solely a hangover from the period of the *ad valorem* tax and said these conditions will be removed without the necessity for requisitioning studios when the tax agreement is implemented. Wilson told the ACT delegates that the government contemplates increasing the film quota annually during the statute's 10-year period.

Palmer Cushing, 68

Funeral services will be held here tomorrow for Palmer Cushing, 68, who was formerly with United Artists for 14 years as treasurer in Paris. At the time of his death here yesterday, he was associated with an advertising agency. The widow, Mrs. Olive Perry Cushing, survives.

Services Today for Reid

A. Gordon Reid, associated with Fabian Theatres for 30 years, died at Newark on Friday, after a short illness. Funeral services will be held this morning from the Smith and Smith Funeral Home, Newark.

Thomas McGuiness, 67

Thomas McGuiness, 67, of the Capitol Theatre staff, here, died of a heart attack at the Hotel Markwell, New York, yesterday morning. Funeral will be held at Joliet, Ill.

BIGGEST SUNDAY SINCE BROADWAY'S PALACE, N.Y...

AND

BIGGEST BUSINESS IN MONTHS AT GRAND, CHICAGO... *HELD OVER!*

AND

SENSATIONAL AT THE RIALTO, SALT LAKE CITY... *HELD OVER!*

"SINBAD" AT HELD OVER!

First three openings click to Top Tarzan Business across the board . . . as Dave Edwards, Genl. Mgr. of Joseph Lawrence Theatres keys exhibitor comment: "Finest Tarzan we have been privileged to play! Excellent opening and audience reaction!"

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

ATLANTA

Business in local theatres is much better than in the past few months. Estimated receipts for the week ending April 14:

APRIL SHOWERS (WB) — PARAMOUNT (2,446) (12c-50c). Gross: $8,300. (Average: $8,000)
SITTING PRETTY (20th-Fox)—FOX (2,446) (12c-50c). Gross: $13,500. (Average: $14,000)
THE MIRACLE OF THE BELLS (RKO Radio)—ROXY (2,446) (12c-50c) holdover from the Fox. Gross: $6,000. (Average: $5,800)
NAKED CITY (U-I)—LOEW'S GRAND (2,446) (14c-55c) 2nd week. Gross: $15,000. (Average: $14,000)

CINCINNATI

"Relentless" is giving the RKO Grand a nice gross, but returns otherwise are spotty. Weekend weather was cool. Estimated receipts for the week ending April 15:

APRIL SHOWERS (WB) — RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 7 days, 2nd week, on a moveover from the Palace. Gross: $5,500. (Average: $5,000)
THE BIG CLOCK (Para.)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $14,000. (Average: $15,000)
I REMEMBER MAMA (RKO Radio)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 7 days. 2nd week, on a moveover from the Albee. Gross: $9,500. (Average: $10,000)
NAKED CITY (U-I) — KEITH'S (1,500) (50c-55c-60c-65c-75c) 7 days, 2nd week. Gross: $9,000. (Average: $7,500)
RELENTLESS (Col.) — RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $10,500. (Average: $8,000)
SITTING PRETTY (20th-Fox) — RKO SHUBERT (2,150) (50c-55c-60c-65c-75c) 7 days, 3rd week, following an initial week at the Palace and a first moveover week at the Shubert. Gross: $7,000. (Average: $5,000)
TO THE VICTOR (WB) — RKO ALBEE (3,300) (50c-55c-60c-65c-70c-75c-) 7 days. Gross: $10,000. (Average: $15,000)

BALTIMORE

New attractions, which are in the minority, are doing big business. Holdovers, apparently having stayed too long, seem to have worn out. "The Sign of the Ram," aided by a stage show, is doing capacity. "To the Victor" also is a major draw. Estimated receipts for the week ending April 15:

GENTLEMAN'S AGREEMENT (20th-Fox) — NEW (1,800) (29c-40c-50c-56) 3rd week. Gross: $9,500. (Average: $11,750)
I REMEMBER MAMA (RKO Radio)—TOWN (1,450) (29c-37c-56c) 3rd week. Gross: $10,000. (Average: $11,000)
MAYERLING (Lopert Films re-release)—LITTLE (328) (29c-37c-56c). Gross: $2,900. (Average: $3,000)
MR. RECKLESS (Para.) and BILL AND COO (Rep.) — MAYFAIR (1,000) (21c-29c-54c). Gross: $6,000. (Average: $5,000)
NAKED CITY (U-I) — CENTURY (3,000) (29c-37c-45c-54c and 56c weekends) 2nd week. Gross: $14,750. (Average: $14,500)
SUTTER'S GOLD (Eagle Lion reissue)—VALENCIA (1,466) (29c-37c-45c-54c and 56c weekends). Gross: $5,500. (Average: $5,000)
THE SIGN OF THE RAM (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c) With a stage show. Gross: $19,750. (Average: $17,000)
TO THE VICTOR (WB) — STANLEY (3,280) (29c-37c-50c-58c). Gross: $16,750. (Average: $14,500)
UNCONQUERED (Para.) — KEITH'S (2,400) (1st time at regular prices of 25c-37c-44c-54c and 56c weekends) 3rd week. Gross: $9,500. (Average: $12,000)

TORONTO

Holdovers continued to be the rule among first-runs, seven of the nine theatres on the list having retained their films for the week. The weather helped somewhat by turning a little cooler. Estimated receipts for the week ending April 15:

THE BARBER OF SEVILLE (Alliance)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days. Gross: $6,000. (Average: $5,000)
THE BISHOP'S WIFE (RKO Radio) — IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days. Gross: $17,600. (Average: $14,600)
NAKED CITY (U-I) — UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days, 3rd week. Gross: $10,100. (Average: $11,600)
SITTING PRETTY (20th-Fox) — NORTOWN (950) (20c-36c-42c-60c) 6 days, 4th week. Gross: $5,000. (Average: $7,000)
SITTING PRETTY (20th-Fox) — VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 4th week. Gross: $5,300. (Average: $6,300)
THREE DARING DAUGHTERS (M-G-M) —LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days, 3rd week. Gross: $13,200. (Average: $14,200)
UNCONQUERED (Para.)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days, 3rd week. Gross: $13,900. (Average: $14,900)
WHERE THERE'S LIFE (Para.) — EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days, 2nd week. Gross: $7,400. (Average: $7,400)
WHERE THERE'S LIFE (Para.)—TIVOLI (1,434). (20c-30c-36c-48c-66c) 6 days, 2nd week. Gross: $9,200. (Average: $9,200)

Remodel Chicago House

CHICAGO, April 12.—Jones, Linick and Schaeffer's LaSalle Theatre in the Loop has closed for remodeling. A chief outlet here for reissues, it will remain dark for four or five months.

N. Y. Grosses

(*Continued from page* 1)

$32,000 in its first week at the Warner.

A good $65,000 is expected for the second week of "Saigon," with Buddy Rich's band on stage, at the Paramount. "All My Sons" is firm at the Criterion where a $30,000 week is in store. At the Victoria "The Search" is doing well in its third week, at around $21,000. "Mr. Blandings Builds His Dream House" is due to bring the Astor a good $30,000 in a third week.

Doing satisfactorily in final stanzas are "Sitting Pretty," with Art Mooney's band on stage, at the Roxy, where a fifth week looks like $70,000, and "B. F.'s Daughter" at Loew's State where a third week is expected to bring in $18,000. "Scudda-Hoo, Scudda-Hay!" moves into the Roxy tomorrow, and "Here Comes Trouble" takes over at the State.

"April Showers," together with Claude Thornhill's band on stage, is fairly firm at the Strand where a $36,000 third week is expected; "To the Victor" will bow in there on Friday. "Gentleman's Agreement" on the way to $20,000 for a 22nd week at the Mayfair is still good, and so is "The Pearl" at the Sutton where an eighth week brought in $5,100. Also satisfactory is "The Smugglers," with a third week at the Rialto expected to bring $7,000.

The following are doing poorly: "Close-Up," Globe, second week, $12,000; "Miracle of the Bells," Rivoli, fourth week, $15,400; "The Farmer's Daughter" (revival), Palace, first week, $10,000; "Man of Evil," Winter Garden, third and final week, $7,500. "Are You With It" will move into the Winter Garden on Thursday. "Arch of Triumph" will bow in at the Globe on Monday.

28 Filming, Against 30 in Previous Week

HOLLYWOOD, April 12.—Production index has dipped to 28, compared to 30 last week.

Shooting started on "A Joe Named Palooka," "Arizona Sunset," Monogram; "Sorrowful Jones," Paramount; "All's Well that Ends Well" (Benedict Bogeaus) United Artists. Shooting finished on "Julia Misbehaves," M-G-M; "Partners of the Sunset," "Michael O'Halloran," "Smuggler's Cove," Monogram; "Isn't It Romantic," Paramount; "One Sunday Afternoon," Warner.

Claims 'Outlaw' Records

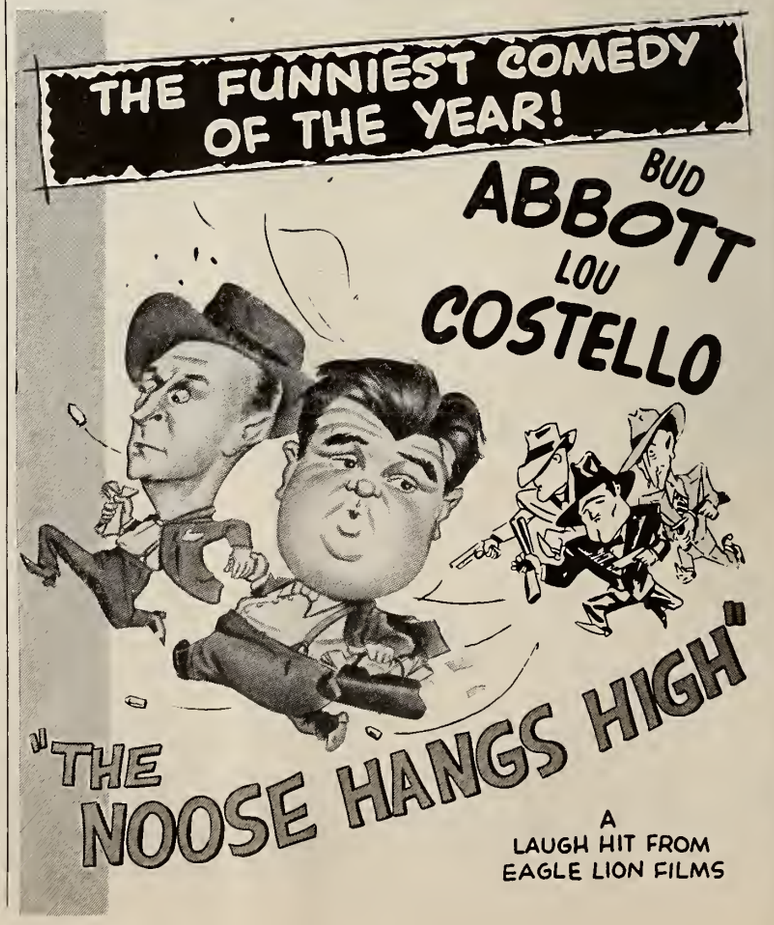
CHICAGO, April 12.—Subsequent-run showings of "The Outlaw," now playing day and date in a number of neighborhood theatres, are breaking records in the majority of houses, it was reported here today by United Artists. This is the first showing of the film in outlying theatres since its second Loop run several months ago.

Schary Gets Award

Dore Schary's contributions to films as executive vice-president in charge of RKO Radio production, brought him the Thomas Jefferson Prize for the advancement of democracy by the Council Against Intolerance in America, at annual award ceremonies at the Waldorf-Astoria here last Sunday.

Small Committed to 14

Edward Small has three pictures for Columbia release, two on the Eagle-Lion slate, three on United Artists' schedule, and a Small subsidiary, Reliance Pictures, is turning out six program features for 20th Century-Fox.



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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 1, NO. 72 NEW YORK, U.S.A., WEDNESDAY, APRIL 14, 1948 TEN CENTS

Grosses Firm At 1st-Runs In Key Cities

$15,202 Weekly Average For 168 U.S. Situations

Theatre grosses remained firm last month despite inclement weather in many sections, according to reports on some 168 key situations received from MOTION PICTURE DAILY field correspondents. Business boomed during Easter holiday week.

Weekly average gross per theatre in March was $15,202, a slight rise over the previous month's $15,010. Average for March, 1947, however, was $16.587.

Appearing most often as the box-office leader in reports for last month was "The Bishop's Wife," followed closely by the Academy Award winning "Gentleman's Agreement." "Call Northside 777" and "Three

(*Continued on page* 4)

Bernhard Is Named Cinecolor President

HOLLYWOOD, April 13.—Cinecolor president William T. Crespinel has resigned, effective May 15, for semi-retirement, although remaining as a board member. Film Classics president Joseph Bernhard will succeed Crespinel in the Cinecolor presidency.

Crespinel, who established the company in 1932, first indicated a wish to retire one year ago on the 40th anniversary of his entrance into the color field.

Film Classics and Cinecolor are affiliated.

Eyssell Is Host To J. Arthur Rank

J. Arthur Rank was honor guest at a luncheon given by G. S. Eyssell, president and managing director of Radio City Music Hall, in the theatre's studio apartment, here, yesterday.

Others present included Hugh S. Robertson, Barton P. Turnbull, Thomas P. Debevoise, Vanderbilt Webb and Frank Corcoran of Rockefeller Center, Inc.; Nate J. Blumberg, J. Cheever Cowdin, Matthew Fox, John J. O'Connor and Joseph Seidelman of Universal-International; Robert Benjamin and Jock Lawrence of the J. Arthur Rank Organization, and Russell V. Downing of the Music Hall.

Variety Clubs 'In Pink' Of Financial Condition

By RED KANN

MIAMI BEACH, April 13.—Variety Clubs International are in the "finest condition" in their history and on Jan. 1 had not a single delinquent among its 33 widely-flung tents. This was the highlight of the year's review submitted at the first open business session of the annual convention at the Roney Plaza today by William McCraw, executive director.

Marc Wolf, who handles financial matters, backed up McCraw by placing total assets at $124,207 and obligations at zero. Assets include $51,500 in Government bonds held in the "Variety Girl" account as part of the benefits accruing to the organization under its deal with Paramount, and an

(*Continued on page* 4)

'Work Right' Law Is Needed: DeMille

Cecil B. DeMille, scheduled to testify on "the right to work" before the House Labor Committee in Washington on May 11, declared here yesterday that under the American form of government, an individual's right to work is his own and does not belong to private groups. No worker, he maintained, should have to pay a union for "the right to work."

DeMille, who is visiting from the Coast, said he will endeavor to persuade the House that there is need for legislation to guarantee the right to work, just as there is need for legislation to guarantee the right to strike. Control of unions over workers, he held, is a matter that needs to be "straightened out" by Congress.

Pending before the U. S. Supreme Court is DeMille's appeal for a reversal of a lower court decision upholding the American Federation of Radio Artists' right to expel him for failure to pay a $1 assessment.

DeMille said he believes there is

(*Continued on page* 4)

Lawson Appeal for New Judge Denied

WASHINGTON, April 13.—Counsel for screen writer John Howard Lawson failed again today in an attempt to obtain a new judge for his trial on charges of contempt of Congress.

The U. S. Court of Appeals ruled unanimously against a petition to disqualify Justice Edward M. Curran on grounds of bias and prejudice. De-

(*Continued on page* 4)

Connors Into Ad Film Distribution

MIAMI BEACH, April 13.—Tom Connors has entered national distribution of advertising reels and already is closing deals with theatremen at the rate of $8.50 to $10 per 1,000 paid admissions on "New Tobacco Land," one-reeler in color produced by Louis De Rochemont.

The film traces the planting of tobacco leaf through various stages ending with its packaging. It carries no sponsorship but is understood to show the cigarettes finally packed to be Chesterfields.

Connors is endeavoring to develop a program of six or seven shorts annually, covering various industries, and is prepared to pay exhibitors on the basis of guaranteed screen circulation. He will show his first subject to Variety Club members here Thursday and hopes to interest a number of exhibitor members of Variety Interna-

(*Continued on page* 2)

20th Plans Broad UK Reorganization

LONDON, April 13.—Spyros P. Skouras, 20th Century-Fox president, will fly back to New York on Saturday, and is due to return here in three weeks when what are described as far-reaching decisions will be made in connection with 20th-Fox reorganization and production plans here.

Both Skouras and 20th-Fox International president Murray Silverstone, will depart for Paris tomorrow. The latter will return here for a further review of the company's British set-up.

The two have applied for a government license to rebuild the Wembley Studio, damaged by bombs during the war.

Charges U. K. Film Critics Are 'Bribed'

LONDON, April 13.—The Critics Circle here has demanded a full investigation of charges that bribes from producers have been accepted by certain film critics on national newspapers. The charges were made by R. J. Minney, former newspaper man, now a producer who has been associated with Maurice Ostrer, before the

(*Continued on page* 4)

20% Tax Hurts Industry and Public: Colmer

Congressman Points to Decline in Attendance

WASHINGTON, April 13.—Rep. William M. Colmer (D., Miss.) warned the House today that the high 20 per cent admission tax is not only hurting the taxpayer but "is in a position to destroy the industry furnishing the amusement."

Local theatres have shown a steady decline in attendance, Colmer said, and it is conceded by most people who have studied the situation that many of modest means stay away from the movies because they simply cannot bear the extra cost of the tax."

Colmer is one of many Congressmen who have introduced bills to return the tax to the pre-war 10 per cent. Action by the Ways and Means Committee to do this, however, is considered most unlikely.

The Mississippi Democrat said that by comparison with other excises, the rate of the admission tax is "extreme-

(*Continued on page* 4)

MGM to Extend Its Sliding-Scale Plan

M-G-M sales policy will call for more intensive and extended use of the company's sliding-scale plan, William F. Rodgers, Loew's vice-president and general sales manager, said here yesterday.

The decision was based on a broad study of customer relations recently

(*Continued on page* 4)

MGM To Distribute Roach Streamliners

M-G-M has concluded a deal for distribution of six Hal Roach streamliners during the next year, William F. Rodgers, Loew vice-president and general sales manager, announced here yesterday. Four of the six will be in color and the first, "The Little Circus," will be released in October.

The streamliners will fill a program need occasioned by the increasing number of features of more than average length, Rodgers believes. Bookings of streamliners with such features proved successful on the Loew circuit, it was stated.

Personal Mention

ERIC JOHNSTON, MPAA president, who was in Chicago yesterday for a United Airlines board meeting, is due back in Washington today after a stay on the Coast. Also returning to Washington today from the Coast are KEN CLARK, DAVE PALFREYMAN and JERRY CAHILL. EDWARD T. CHEYFITZ returned to the Capital yesterday.

•

JULES WEILL, Masterpiece Productions head, returned here yesterday from the Coast. He will leave for Charlotte today to attend franchise holders' meetings.

•

EDWARD L. HYMAN, Paramount Theatres Service vice-president, and JOSEPH J. DEITCH, Paramount Theatres executive, will leave New York today on a Western business trip.

•

GEORGE WELTNER, Paramount International president, and A. L. PRATCHETT, Latin America division manager, are due back in New York today from South America.

•

NICHOLAS M. SCHENCK, Loew president, and JOSEPH M. SCHENCK, 20th Century-Fox executive producer, are due back in New York Friday from Miami Beach.

•

ARTHUR JEFFREY, Eagle-Lion exploitation chief, is in Chicago from New York conferring with WILLIAM HOLLANDER, Balaban and Katz advertising head.

•

ED HINCHY, Warner home office playdate department head, is due back in New York tomorrow from Buffalo, N. Y.

•

ROBERT D. TURNBULL, National Theatre Supply salesman in Charlotte, will be married there Saturday to DOROTHY ELIZABETH BERRY.

•

MANNY REINER, SRO Latin American managing director, will leave here today for Havana.

•

IRVING DRUTMAN, foreign-films publicist here, will fly to France tomorrow.

•

MRS. SAMUEL GOLDWYN will fly to London on Friday to visit SAMUEL GOLDWYN, JR., a producer there.

•

BORIS MORROS, head of Federal Films, will leave here today for England.

•

HAROLD BOCK, Western television manager for NBC, will leave Hollywood on Friday for New York.

•

FREDRIC and MRS. MARCH will be passengers today aboard the *S.S. Queen Elizabeth*, bound for England.

•

DORE SCHARY, RKO production vice-president, was in Chicago yesterday en route to Washington.

•

SI FABIAN will fly to Miami today from New York.

Temporary End to 'Frisco's Blackout

San Francisco, April 13.—Power curb which kept all San Francisco theatre upright signs and marquees black, with only dim lobby lights allowed, was formally ended last night insofar as electrical power is concerned. However, suspension of the curtailment is only temporary and restrictions may again be imposed on June 1.

N. Y. C. Council Gets Censorship Measure

Councilman Edward A. Cunningham yesterday introduced in the City Council his bill under which New York License Commissioner Benjamin Fielding's restrictive powers over films, plays and all advertising pertaining to them would be extended. The measure was referred to the Committee on General Welfare.

Among those on record against the bill are Fielding, the Independent Theatre Owners Association of New York and the advertising advisory committee of the Motion Picture Association.

Rank and Newsreels Confer on Olympics

Representatives of the five American newsreels will hold another meeting with J. Arthur Rank today in an attempt to ascertain the exact conditions laid down by the British film leader for the coverage of the Olympic Games in England this summer.

The newsreels have protested a deal between Rank and the British Olympics Committee purportedly giving him exclusive rights to film the games, with the American reels being required to buy desired footage from him. Rank has indicated willingness to make concessions if circumstances warrant.

Paramount Acquires 25,400 More Shares

Paramount acquired 25,400 additional shares of its own common stock on the open market last month to bring its holdings to 501,633 shares. Company began its stock-buying program in November, 1946 but used most of the initial acquisitions for purchase of Liberty Films.

4 of 6 WB Films in Color

HOLLYWOOD, April 13.—Rising emphasis on color in films is shown by plans under way throughout the industry, Warners reporting four of its six productions rolling in Technicolor: "Adventures of Don Juan," "One Sunday Afternoon," "Silver Lining," and "My Dream Is Yours."

Delay DST Hearings

WASHINGTON, April 13.—Hearings on a bill to establish nationwide daylight saving time, originally slated for today, have been postponed to April 20. Theatre Owners of America is slated to testify in opposition.

First FTC Hearings On Screen Ads Ends

CHICAGO, April 13.—First of a series of hearings scheduled by the Federal Trade Commission on its "unfair competition" complaint against four advertising film companies concluded here today. Witnesses called in behalf of FTC Monday and Tuesday were: Frank Turner of Turner Advertising Co., and Frank Gibbs, General Screen Advertising.

The complaint is based on grounds that theatre owners are not privileged to grant exclusive rights to one company for theatre screen advertising.

Companies involved are: Ray-Bell Films, Alexander Film Co., United Film Ad Service and Motion Picture Advertising Service. Next hearings will be held in Minneapolis, April 15; Des Moines, April 19; Omaha, April 21; Tulsa, April 23; Houston, April 26; New Orleans, April 28.

Tom Connors

(*Continued from page* 1)

tional on a basis which will strengthen the club treasury from the local level up the line.

Louis De Rochemont is understood to have produced "New Tobacco Land" on order from Liggett and Myers, manufacturers of Chesterfields. The film carries his name as producer and at no point mentions L. and M. Connors' first large-scale deal is with Fox West Coast Theatres.

Connors recently incorporated in New York as Tom Connors Associates. It is reported he will open offices in the Hotel Astor here pending availability of a permanent site.

Levy Will Address Carolina Meeting

CHARLOTTE, April 13.—The summer meeting of the Theatre Owners of North and South Carolina will be held at Myrtle Beach on June 20-22, Mrs. Pauline Griffith, secretary of the association, has announced. All sessions will be held in the Ocean Forest Hotel. The program, not yet completed, will include Herman Levy, general counsel for the Theatre Owners of America, as speaker.

Realart Board Meeting

Realart board members are in town today for a series of meetings, among them: Paul Broder, Broder Circuit, Detroit; his brother Jack, circuit owner from California; Irving Kipnis, from Miami, and Joseph Harris, chairman, Budd Rogers and Norman Eisenstein.

Drive-in to Wehrenberg

ST. LOUIS, April 13.—Purchase of the Flexer Drive-in's 66 Park-In Theatre by Fred Wehrenberg was announced here. Wehrenberg and the Wehrenberg-Kaimann interests have three drive-ins operating or building in suburban St. Louis.

MPEA Branch Closing

LONDON, April 13.—Motion Picture Export Association will dissolve its branch in Holland in September, according to reports received here from Amsterdam.

Newsreel Parade

THE end of the coal strike at home and U. S. troops marching in Trieste are among newsreel highlights. Varied other events at home and abroad are reviewed. Complete contents follow:

MOVIETONE NEWS, No. 30—New York Army Day parade. Trieste: 5,000 American "G.I.'s" on parade. Milan: Communists stage anti-government propaganda parade. Child musical prodigy. Fashions: eye-filling bathing suits and novel eye glasses. Georgia golf tournament. Florida: All-American girl baseball league. Washington: Outboard motor racing.

NEWS OF THE DAY, No. 264—Lewis ends coal strike. U. S. Army marches in Trieste. Musical genius. Baseball. Navy kids slug it out.

PARAMOUNT NEWS, No. 67—Hockey champions. Lewis ends coal strike. Four-year-old musical child wonder. Italy's hour of decision.

UNIVERSAL NEWS, No. 134—Dramatic end to coal strike. U. S. troops march in Trieste. New York Italians parade in Red protest. Navy balloon rises 20 miles in stratosphere test. Golf tournament. Navy juniors in boxing bout. Outboard in world's "crookedest" race.

WARNER PATHE NEWS, No. 69—Coal strike settled. U. S. shows might in Trieste. Girl baseball stars in training. Young set studies magic. AAU boxing championship.

To Honor Weitman, Glixon, Balaban

Entertainment leaders and New York and B'nai B'rith officials will occupy the dais when Cinema Lodge pays tribute to retiring president Robert M. Weitman and welcomes incoming president S. Arthur Glixon at a dinner at the Hotel Astor here this evening.

Barney Balaban will be given a medallion and a life membership.

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AMERICAN AIRLINES

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M-G-M GREAT IN '48

YOU'VE GOT "A DATE WITH JUDY"!

Another California Preview . . . Another M-G-M Hit! *(Telegram):*

"Everybody will be after A DATE WITH JUDY when they hear about her sensational preview debut at Glendale last night. Here's another big one for MGM's new hit parade, a Technicolor treat as fresh and exuberant as youth itself. Score another smash for producer Joe Pasternak. Director Richard Thorpe and stars Wallace *(Wait Till You See Him Rhumba)* Beery, Jane *(Velvet Voiced)* Powell, Elizabeth *(Sweet Sixteen, And How)* Taylor, Carmen *(Hallo Keed)* Miranda, Robert *(The Gals New Rave)* Stack, Scotty *(Grownup)* Beckett and Xavier *(Nougats to You)* Cugat. Another reason why MGM is great in '48."

M·G·M's GOT THE PICTURES!

Frank Capra's "STATE OF THE UNION"
"HOMECOMING"
"THE BRIDE GOES WILD"
"B.F.'s DAUGHTER"
"THREE DARING DAUGHTERS" (Technicolor)
"ALIAS A GENTLEMAN"
"THE PIRATE" (Technicolor,
"SUMMER HOLIDAY" (Technicolor)
Irving Berlin's "EASTER PARADE" (Technicolor)
"BIG CITY"
"ON AN ISLAND WITH YOU" (Technicolor)
"A DATE WITH JUDY" (Technicolor)
"JULIA MISBEHAVES"
"A SOUTHERN YANKEE"
And More!

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Neighborhood theatres are proving highly competitive to Loop houses, since the advent of the Jackson Park decree. Most downtown business is off considerably, with only three new films playing to drab attendance. Estimated receipts for the week ending April 15:

AN IDEAL HUSBAND (20th - Fox) — UNITED ARTISTS (1,700) (98c). Gross: $16,000. (Average: $23,500)
CASS TIMBERLANE (M-G-M)—WOODS (1,080) (98c) 5th week. Gross: $23,000. (Average: $23,000)
FORT APACHE (RKO Radio)—PALACE (2,500) (67c-98c) 6 days; **A DOUBLE LIFE (U-I)** 1 day. Gross: $30,000. (Average: $22,000)
GENTLEMAN'S AGREEMENT (20th-Fox) —APOLLO (1,200) (98c-$1.25) 23rd week. Gross: $11,000. (Average: $17,000)
MAN OF EVIL (United Artists)—GARRICK (1,000) (44c-60c-80c-85c). Gross: $8,500. (Average: $10,000)
SAIGON (Para.)—CHICAGO (3,900) (98c) 2nd week. Gross: $30,000. (Average: $40,000)
SONG OF LOVE (M-G-M) — MONROE (953) (67c-95c) 2nd week. Gross: $13,500. (Average: $13,000)
THE ADVENTURES OF ROBIN HOOD (Warners) — ROOSEVELT (1,500) 2nd week. Gross: $14,000. (Average: $20,000)
THE FARMER'S DAUGHTER (RKO Radio)—GRAND (1,150) (67c-98c) 6 days, 2nd week. **DESIGN FOR DEATH (RKO Radio)** 1 day. Gross: $16,000. (Average: $16,000)
THE MATING OF MILLIE (Col.)—ORIENTAL (3,300) (98c) On stage: Bonnie Baker. Gross: $41,000. (Average: $45,000)
THE NOOSE HANGS HIGH (Eagle Lion) —STATE LAKE (98c) 2nd week. On stage: Skitch Henderson. Gross: $30,000. (Average: $35,000)

INDIANAPOLIS

Business at first-run theatres is spotty. "April Showers" is leading, at the Circle. Most others are running below average. Business was handicapped by rain. Estimated receipts for the week ending April 13-14:

APRIL SHOWERS (WB) and DEVIL'S CARGO (FC)—CIRCLE (2,800) (44c-65c) 7 days. Gross: $13,000. (Average: $10,000)
BELLE STARR (20th-Fox) and FRONTIER MARSHALL (20th-Fox) (Reissues)—KEITH'S (1,300) (44c-65c) 8 days. Gross: $5,400. (Average: $4,500)
CALL NORTHSIDE 777 (20th-Fox) and CAMPUS HONEYMOON (Rep.)—LYRIC (1,600) (44c-65c) 6 days. Gross: $5,500. (Average: $6,000)
GENTLEMAN'S AGREEMENT (20th-Fox) —INDIANA (3,200) (44c-65c) 7 days, 2nd week. Gross: $9,500. (Average: $12,000)
HIGH WALL (M-G-M) and CAPTAINS COURAGEOUS (M-G-M) (Reissue) — LOEW'S (2,450) (44c-65c) 7 days. Gross: $10,000. (Average: $11,000)

BUFFALO

Leader here was "The Bride Goes Wild," at the Buffalo. Weekend business was off because of damp, rainy weather. "Naked City" held up in a second week at the Lafayette. Estimated receipts for the week ending April 17:

APRIL SHOWERS (WB) and MURDER IN REVERSE (British)—TECK (1,500) (40c-50c-60c-70c) 7 days, 2nd week on a moveover. Gross: $4,900. (Average: $5,500)
BIG CLOCK (Para.) and CAMPUS HONEYMOON (Rep.) — HIPPODROME (2,100) (40c-50c-60c-70c) 7 days, 2nd week on a moveover. Gross: $10,000. (Average: $10,000)
BRIDE GOES WILD (M-G-M) and 13 LEAD SOLDIERS (20th-Fox)—BUFFALO (3,489) (40c-50c-60c-70c) 7 days. Gross: $20,900. (Average: $18,000)
I REMEMBER MAMA (RKO Radio)—TWENTIETH CENTURY (3,000) (40c-50c-60c-70c) 7 days, 3rd week. Gross: $11,400. (Average: $15,000)
NAKED CITY (U-I) and PERILOUS WATERS (Mono.)—LAFAYETTE (3,000) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $15,000. (Average: $15,000)
TO THE VICTOR (WB) — GREAT LAKES (3,000) (40c-50c-60c-70c) 7 days. Gross: $14,000. (Average: $17,000)

Grosses Firm At 1st-Runs

(*Continued from page* 1)

Daring Daughters" were tied for third place.

Weekly leaders in a substantial number of situations were: "A Double Life," "Saigon," "To the Ends of the Earth," "Furia," "The Naked City," "Voice of the Turtle" and "The Treasure of the Sierra Madre." "Robin Hood" led the reissues.

Others turning in better-than-average grosses in a number of situations were: "Cass Timberlane," "Shoe Shine," "Albuquerque," "If You Knew Susie," "I Walk Alone," "Unconquered," "I Remember Mama," "Miracle of the Bells," "Fort Apache," "This Time for Keeps," "Out of the Past," and "The Senator Was Indiscreet."

Composite key city box-office reports for 1948 to date, compared with corresponding weeks of 1947, follow:

1948 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 2-3	179	$3,406,600	$19,031
Jan. 9-10	168	3,112,700	18,528
Jan. 16-17	168	2,473,300	14,722
Jan. 23-24	166	2,419,000	14,572
Jan. 30-31	166	2,341,900	14,108
Feb. 6-7	167	2,537,800	15,196
Feb. 13-14	166	2,381,500	14,546
Feb. 20-21	164	2,316,500	14,125
Feb. 27-28	167	2,734,100	16,372
Mar. 5-6	165	2,372,700	14,380
Mar. 12-13	165	2,441,800	14,799
Mar. 19-20	175	2,626,800	15,010
Mar. 26-27	162	2,356,800	14,548
April 2-3	171	2,953,500	17,272

1947 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 3-4	167	$3,678,100	$22,024
Jan. 10-11	173	3,363,200	19,400
Jan. 17-18	173	3,007,300	17,383
Jan. 24-25	176	3,043,700	17,294
Jan. 3-Feb. 1	181	2,293,600	18,197
Feb. 7-8	177	3,089,600	17,495
Feb. 14-15	177	2,767,900	15,638
Feb. 21-22	182	3,042,700	16,718
Feb. 28-Mar. 1	166	2,800,300	16,869
Mar. 7-8	178	2,906,400	16,328
Mar. 14-15	174	2,890,300	16,610
Mar. 21-22	173	2,922,900	16,895
Mar. 28-29	178	3,069,500	17,245
April 4-5	179	2,838,800	15,859

Lawson Trial

(*Continued from page* 1)

fense attorneys had been granted a hearing by the upper court earlier in the day.

Pending the Appeals Court review, Justice Curran halted trial proceedings for the day at the end of the morning session. The second day's proceedings had been confined entirely to questioning of the jury panel by both sides. Selection of the jury will continue tomorrow.

Meanwhile, Robert W. Kenny, counsel for Lawson, subpoenaed all committee documents relative to motion picture industry investigations since 1938. House approval must be obtained for surrender of the documents.

Charges Critics

(*Continued from page* 1)

Royal Commission on the Press.

Minney, naming names which subsequently were deleted from the record, said the procedure is to suggest to a pliable critic that he prepare a preliminary treatment of a film. The recognized "bribe" therefor, Minney said, is $1,000.

The Critics Circle, demanding open hearings, has brought the matter up with the Producers Association, Screenwriters Association and the Film Industry Publicity Circle.

20% Tax Hurts

(*Continued from page* 1)

ly high," and that it bears hard on those "whose only amusement or entertainment is often beyond the reach of their pocketbook when they take the wife and kids to a movie or circus."

MGM to Extend

(*Continued from page* 1)

completed in the field by a group of specially-trained company representatives. Rodgers said the study showed that where the sliding-scale was in use there was markedly less dissension between buyer and seller than where deals were made in the conventional bargaining manner.

Sliding Scale Best: Rodgers

Rodgers said he also feels that the sliding scale plan is the fairest under all conditions experienced and because of his confidence in it and in forthcoming M-G-M product he regards it as the best policy for both buyer and seller. He said he has no concern about pessimistic talk of a business recession because "big pictures continue to do big business." He cited M-G-M's experience with "Green Dolphin Street," which piled up huge grosses, only to be surpassed in turn by "Cass Timberlane."

"The sliding-scale," he said, "makes our earnings proportionate only to what our pictures can do at the box-office. With our forthcoming product in mind, I have no concern over talk of a business recession." Rodgers said he thinks Metro's new pictures will "electrify the industry—give it the shot-in-the-arm it needs."

MGM Training Executives

Speaking at a luncheon at the Hotel Astor attended by trade press representatives and company officials, Rodgers said he believes "a new approach" in marketing pictures is necessary. In an effort to prepare for the "new approach," M-G-M is setting up an executive training course for 12 to 18 men from the company's ranks who will be selected annually. They will be brought to New York and schooled in all company operations. They will sit in on conferences on all types of problems with executives from Nicholas M. Schenck, Loew president, on down, to familiarize themselves with company policy.

Rodgers also described public relations work being carried on by the company, particularly in the field of civic organizations, such as Rotary clubs, which are being addressed by M-G-M representatives.

U-I, Treasury Bond Drive Show Tonight

Stars of screen, stage, radio and night clubs will participate in the all-star show headed by Donald O'Connor preceding the premiere of Universal-International's "Are You With It?" at the Winter Garden Theatre, here, tonight, and which will serve as the "kick-off" of the U. S. Treasury's Security Loan Drive in New York.

The drive will run from April 15 to June 30. Admission to the premiere will be by the purchase of Savings Bonds only. New York television station WABD of the DuMont network will telecast the show.

Discuss Films' Plan At Youth Parley

KANSAS CITY, April 13.—The panel on public interpretation, one of several panels of the annual Youth Conference here, took up motion pictures yesterday. Senn Lawler, regional director for the Theatre Owners of America's "Youth Month" committee headed by Charles P. Skouras, described the industry's program in support of youth movements. All panels will report at a general meeting on April 28.

Lesser, Corwin Buy Blumenfeld's Two

HOLLYWOOD, April 13.—Sol Lesser, and exhibitor Sherrill Corwin have purchased Joe Blumenfeld's interest in the Hollywood and Downtown Music Hall theatres, indicating the latter's withdrawal from the Los Angeles exhibition field which he entered three years ago.

Variety Clubs

(*Continued from page* 1)

additional $33,000 in bonds deposited in Indianapolis.

The convention ruled out branch or subsidiary tents with the exception of Houston, Tex., which will be granted a charter. This will not affect existing clubs but will serve to limit future charters to one tent in each approximate exchange area. Women's auxiliaries were voted out.

Each tent was given an option to grant a "Heart Award" annually to a deserving individual in its area.

While Luis Montez continued to campaign for Mexico City as next year's convention city, sentiment is running toward San Francisco. Official registration now stands at 921.

DeMille

(*Continued from page* 1)

room for further economies in Hollywood, because "costs are still out of the range of sanity." There is even a "limit to what DeMille can spend!" he laughed.

DeMille Sets 'Sampson'; Para. Reissues 'Crusades'

Cecil B. DeMille's "The Crusades" will be re-released by Paramount, in June, it was announced here yesterday by Charles M. Reagan, Paramount distribution vice-president.

DeMille disclosed here simultaneously that his next production will be "Sampson and Delilah," to start in September, in color. It will include scenes shot in Morocco, Egypt or the Holy Land.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 53, NO. 73 — NEW YORK, U. S. A., THURSDAY, APRIL 15, 1948 — TEN CENTS

Average Adult Ticket Price Is 50.4 Cents

57.7 Cents in the West Is High; 45.3 in South

HOLLYWOOD, April 14.—Average adult evening admission price to the nation's theatres is 50.4 cents, Audience Research Institute reports.

The average was pegged as of early March, and represented an increase of 1.4 cents over that of November, the Institute informs clients in the first of a series of reports, derived from a check covering all locations, types and sizes of theatres and including Federal, state and local taxes.

A breakdown of the current report shows the highest average is in the West, at 57.7 cents, the East is next with 52.8 cents, followed by the Midwest, at 47.8 cents, and the South, 45.3 cents. All divisions show an in-

(*Continued on page 4*)

'Red' Tie Query Is Held 'Pertinent'

WASHINGTON, April 14.—The question asked screen writer John Howard Lawson by the House Un-American Activities Committee as to whether he is or was a Communist was ruled "pertinent" by Justice Edward M. Curran today in Lawson's trial on charges of contempt.

RKO Radio production chief Dore Schary will be called to the stand tomorrow.

Ben Margolis, defense counsel, cross-examined committee chairman J. Parnell Thomas, first Government

(*Continued on page 2*)

Consummate N. Y. Rialto Sale to Mage

Sale of the Rialto Theatre here by Arthur Mayer and associates to James Mage, Laffmovie Circuit owner and distributor of foreign films in the U. S., has been completed. Sam Dembow was one of Mayer's partners in the Rialto.

Mage, who owns Laffmovie houses in Boston, Baltimore and New York, is expected to set a foreign-film policy for the Rialto. He also owns, in conjunction with Samuel Goldwyn, the Astor in Boston.

Rank and U. S. Reels In Olympics Accord

J. Arthur Rank yesterday agreed not to charge American newsreels for filming the Olympic Games in England this summer.

At a conference with representatives of the five U. S. newsreels, the British film leader, who had exclusive rights to film the games, deferred to the wishes of the newsreels in recognition of the fact that "the American Newsreel is opposed in principle to the practice of paying for the privilege of filming news events."

It was understood that the American and British newsreels would share footage from a joint pool.

Representing the American Newsreel Association was a committee comprising A. J. Richard, Paramount, chairman; Thomas Mead, Universal; Walton C. Ament, Warner Pathe; M. D. Clofine, News of the Day; Jack Haney, Movietone; E. P. Genock, Paramount.

US May Guarantee Film Costs in Japan

WASHINGTON, April 14.—War Department officials are working out a scheme to guarantee U. S. films and other information media production and distribution costs for activities in Japan and Korea.

The program would be similar to that included in the European Recovery Program for activities in Marshall Plan nations.

N. Y. Para. Theatre In Video Surprise; Patrons Enthused

By MANDEL HERBSTMAN

In an unannounced move here last night Paramount unveiled its theatre television system before a surprised audience in the Paramount Theatre, thus marking the first time theatre television has been utilized in the East on a full-sized screen. As the event, amateur boxing bouts, flashed across the 18-foot by 24-foot screen, the audience responded enthusiastically. In a press interview that followed, Paul Raibourn, Paramount vice-president in charge of television, declared that "if the public wants theatre television it can have it."

Raibourn asserted that the company hopes "for a couple of shows a week," shortly and added that he didn't see

(*Continued on page 5*)

Coyne Touches Off Loan Drive in N. Y.

Security Loan Bonds are the "tools" and "weapons" through which "we can hope to keep things right" in the U. S., Robert W. Coyne, executive director of the Theatre Owners of America, told a Winter Garden audience here last night during loan drive ceremonies which preceded the premiere of Universal-International's

(*Continued on page 2*)

Argentine Ban On 75% of all Film Imports

Will Allow Remittances On Those Films Imported

By JAMES CUNNINGHAM

The Argentine government has decreed that American and other foreign film distributors shall henceforth be permitted to import the numerical equivalent of only 25 per cent of their 1947 imports, according to cables reaching private sources here yesterday from Buenos Aires.

Considered in foreign film circles here to be one of the severest restrictions to be imposed by a foreign government on outside films, principally Hollywood's, the banning of 75 per cent of imports dashed the hopes of some in the U. S. industry who had been expecting a reasonable break in the film import regulations which Argentina had been promulgating since it temporarily froze all film import permits and remittances last July.

Only bright spot in the new order

(*Continued on page 5*)

Agnew to Preside at SROMeetTomorrow

Selznick Releasing Organization will hold a sales meeting here tomorrow at the New York Athletic Club, presided over by Neil F. Agnew, president.

Home office executives who will attend include: Milton Kramer, Milton S. Kusell, Sidney Deneau, Leonard R. Case, Robert M. Gillham, and Ted Baldwin. The following division managers will attend: J. E. Fontaine, Henry G. Krumm, Sam Horowitz, Charles M. Weiner, John T. Howard, and the following district managers: Thomas F. Duane, Joseph J. Oulahan and Saul J. Krugman.

Four at Six Millions From USP for WB

HOLLYWOOD, April 14.—Four pictures, to cost approximately $6,000,000, will be produced by United States Pictures this year for Warner release, Milton Sperling, USP president, announces. They are: "Distant Drums," "Sacramento Sal," "The Gentle Sin" and either "Dream Street" or "The Long Way."

Secretary Marshall Wins '48 Variety Clubs Award

By RED KANN

MIAMI BEACH, April 14.—Secretary of State George C. Marshall is the winner of Variety Clubs International's Humanitarian Award for 1948, the selection having been made by 34 publishers and editors of daily newspapers in keeping with established formula.

In making the announcement, International Chief Barker Robert J. O'Donnell told the convention this morning that Marshall will be unable to attend the climaxing dinner Saturday evening to accept the award in person because he is attending the Inter-American Conference at Bogota, Colombia. This circumstance will make Harold Stassen the chief public figure and speaker of the dinner.

Probability now is that Marshall will be presented with his signifying plaque at Variety Clubs' mid-winter meeting, originally set for New York

(*Continued on page 2*)

To Campaign Against Molesters in Theatres

INDIANAPOLIS, April 14.—Tightening of laws dealing with sex offenders were proposed by the Neighborhood Theatre Owners Association at a meeting here with Mayor L. G. Feeney following an attack on an eight-year-old girl who was kidnapped while waiting to attend a matinee.

Earl Cunningham, NTOA associate president, proposed more severe sentences for offenders. Theatremen, he charged, are handicapped in attempts to eliminate undesirables from houses by the failure of victims to cooperate by reporting offenses. The association has agreed to run notices on screens urging patrons molested in any way to report at once to the management. It was also suggested that members of the Parent-Teachers Association be allowed to attend shows with children in supervisory capacities.

Personal Mention

J. ROBERT RUBIN, M-G-M vice-president and general counsel, is expected back in New York Monday from the Coast.

•

ROBERT SMITH, partner in the Chief Theatre, Steamboat Springs, Colo., and the Rio, Oak Creek, Colo., has been elected mayor of Steamboat Springs.

•

DON MCELWAINE, of the M-G-M studio publicity department, will leave for the Coast Tuesday after visiting New York and Washington.

•

WILLIAM B. JAFFE, film attorney, has returned to New York from a Palm Beach vacation.

•

JOSEPH R. VOGEL, Loew vice-president, is back in New York from a Florida vacation.

•

JAY EISENBERG, M-G-M legal sales department liaison, is back in New York from Miami.

•

WILLIAM SATORI, Monogram European representative, has arrived here from London.

•

WILLIAM A. SCULLY, Universal-International distribution chief, is in Miami from New York.

•

MAX WOLFF, M-G-M purchasing head, has returned here from the Coast.

•

MAX JACOBS of the Marvel Theatre, Cleveland, and MRS. JACOBS are visiting in Florida.

•

NAT HOLT, independent producer, is in New York from the Coast.

•

FRANK CAPRA will return to the Coast Tuesday from New York.

J. J. Friedl Rites to Be Held Saturday

MINNEAPOLIS, April 14.—Funeral services for John J. Friedl, 50, who was president of Minnesota Amusement Co. for 15 years until his retirement in January, 1947, will be held on Saturday afternoon in Sioux City, Iowa.

Friedl died in Mission, Texas, Monday. He entered the theatre business 25 years ago, handling theatres in Texas, Louisiana, Georgia, Florida and the Carolinas for Paramount-Publix. After he joined Maco in 1932 the circuit grew to 97 theatres in Minnesota, Wisconsin and the Dakotas. He moved to Texas after his retirement.

Survivors include the widow, Florence, two sons and three grandchildren.

Vote Copyright Fee Raise

WASHINGTON, April 14.—The Senate has passed a bill to raise the copyright fee from $2 to $4. The bill goes to conference with a House-approved measure.

Glixon Inaugurated Cinema Lodge Head

"Our first obligation in our never-ending fight against bigotry and intolerance is to understand and respect our neighbors regardless of race, color or creed," S. Arthur Glixon, newly-elected president of Cinema Lodge, B'nai B'rith, declared at the Lodge's president's dinner at the Hotel Astor here last night on being inducted into office. More than 500 from the entertainment industry attended.

The dinner was a tribute to Glixon and Robert M. Weitman, retiring president of Cinema Lodge. Barney Balaban, president of Paramount, was presented with a gold B'nai B'rith medallion and a life-time membership in Cinema Lodge for his ceaseless devotion to the interests of the Lodge since its inception. In addition, Weitman presented him with a check for $2,500, representing the Lodge's 1948 contribution to the United Jewish Appeal. Balaban heads the entertainment industry division of the drive. Weitman also presented a check for $100 to Barney Ross for Haganah, the fighting arm of the Jewish forces in Palestine.

Inducted into office with Glixon were vice-president and treasurer Leo Jaffe; vice-presidents Maurice A. Bergman, S. M. Chartock, Julius M. Collins, Bernard Goodman, Marvin Kirsch, Martin Levine, Milton Livingston, Louis A. Novins and Robert K. Shapiro; secretary Dr. Hyman Chartock; sergeant-at-arms Edward Black, and Chaplains, Rabbis Bernard Birstein and Ralph Silverstein.

N. Y. Loan Drive

(*Continued from page* 1)

"Are You With It?" The ceremonies, participated in by stage and screen personalities, including Donald O'Connor, marked the "kick off" of the Treasury's Security Loan Drive in New York State. Coyne spoke as a Treasury consultant.

Reels Aid Bond Drive

All five newsreels will include in their April 16 issues clips featuring James Stewart in an appeal on behalf of the Treasury's Security Bond Drive. The Stewart footage already has been approved by the Theatre Owners of America for exhibition by members.

Mayor at 'Arch' Benefit

Mayor William O'Dwyer will head city officials at the benefit premiere Monday night of "Arch of Triumph" at the Globe Theatre here for the American Overseas Aid-United Nations Appeal for Children.

Evans at SMPE Meet

SANTA MONICA, Cal., April 14 — Ralph M. Evans, superintendent of color film and print processing at Eastman Kodak, Rochester, will deliver the feature paper on color at the 63rd semi-annual convention of the Society of Motion Picture Engineers, May 17-21, at the Ambassador Hotel here.

Lawson Trial

(*Continued from page* 1)

witness to appear following the selection of a jury. Margolis brought out the admission from Thomas that, in determining whether or not Lawson should be asked whether he was a Communist the committee had relied on previous testimony by producer Sam Wood and writers Howard Rushmore and John Charles Moffett, alleging the defendant had headed Hollywood Communists. This testimony, Margolis offered to show, was "perjury."

Direct examination of Thomas by the Government was limited to having the committee chief read the transcript of Lawson's appearance during the hearings, which led to the contempt citation against him. Margolis hammered away at the "credibility" of the witness in efforts to show "bias and prejudice." Curran, however, sustained objections by the Government, excluded most of the defense questions and reiterated that the only issue to be decided by the jury is whether or not Lawson refused to answer the committee's question.

The jury, chosen with few challenges by either side, consists of eight women, four of whom are Negroes, and four men, two of whom are Negroes. Only two jurors are Government workers.

20th To Implement Industry Promotion

Twentieth Century-Fox's field forces and other facilities have been placed at the disposal of the public, the exhibitor and the industry in general as a means of aiding the current industry bid for a wider audience on the basis of improved product. The plan to aid public relations is now in operation after several months of testing, Charles Schlaifer, director of advertising-publicity for 20th-Fox, said.

Four main points of the plan include close coordination of the field staff with the exhibitor on campaigns designed to inform the public of high calibre industry product; establishment of a home office information bureau to service the press with statistics and factual data; a weekly newsletter presenting showmanship ideas to exhibitors, and advance press sheets on company pictures.

Mestanza Honors Horne

H. Alban-Mestanza and Mrs. Mestanza of Foreign Screen Corp. were hosts Tuesday evening at a dinner given for David Horne, newly-appointed foreign manager of Film Classics.

Variety Award

(*Continued from page* 1)

in October but heading for transfer to Washington under the circumstances.

Second business session considered badly-needed financial aid for the Will Rogers Memorial Hospital at Saranac Lake, N. Y. On tap is a proposal whereby the international organization of Variety will advance up to $7,000 which would keep this tubercular hospital going another month, these funds to be met by Variety Club members throughout the nation on the basis of an assessment of $1 per member, fixed at local or tent levels. Decision was tabled until Thursday morning for the views of Si Fabian who flew in late this afternoon after New York conferences on the subject.

Discussion brought to light for what is believed to be the first time the fact the Motion Picture Foundation has been reviewing this situation on the possibility Saranac may become MPF's first financially-supported project.

Wanger Film to Aid

Follow-up to "Variety Girl" as a fund-raiser for various tents will be "Bad Boy," a story dealing with the Texas Boys' Ranch near Belton, Tex. Walter Wanger will produce under an agreement which will give five per cent of the proceeds to the International office of Variety, an undesignated percentage to the Dallas tent and a swimming pool at the Texas Boys' Ranch. Universal-International will release on its regular program, probably next season.

The convention voted unanimously to limit associate memberships in a move to confine Variety's roster to existing tents. Houston no doubt will become tent No. 34 and Seattle is ready to organize.

In introducing various executives among the visitors, O'Donnell included Herman Robbins and George Dembow of National Screen Service and paid them and their organization an official tribute from Variety. "They're always ready whenever we need them," O'Donnell said.

Connors' First Ad Film Gets Cordial Reception

MIAMI BEACH, April 14.—"The New Tobaccoland, U.S.A.," advertising reel produced in Cinecolor for Liggett and Myers (Chesterfield Cigarettes) by Louis De Rochemont, was screened for Variety convention delegates here today, and appeared to get a generally favorable reaction. Tom Connors, who will sell it, stated Wilby-Kincey Circuit is the first of the Paramount-affiliated theatre partners to make a deal for its showing. R. J. O'Donnell openly declared Interstate Circuit of Texas is willing to run it. Fox West Coast already has made a deal for it.

Casual Mention of Sponsor

A well-done short, the picture unfolds steps by which tobacco is grown, nurtured, cured and sent to market. Aside from one narrative track mention at the close when the slogan, "They Satisfy," enters, the film might be a straight entertainment reel efficiently and completely depicting its subject matter. There is mention in almost invisible lettering of Liggett and Myers on the main title, and four different flashes of Chesterfield—the name on an office building, on the uniform of a worker, on the packaged cigarettes, and on cartons.

The film is the first to be distributed nationally by Tom Connors on the basis of approximately $10 per 1,000 admissions. Money, of course, is payable to the exhibitor. Running time, eight minutes. R.K.

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"TO THE VICTOR"

WINNING NEW GLORY FOR WARNER BROS!

A rare and wonderful love story —And timely as few pictures ever have been!

DENNIS MORGAN

AS THE HERO OF ONE OF THE STRANGEST ROMANTIC ADVENTURES EVER FILMED!

VIVECA LINDFORS

THE LONG-AWAITED AMERICAN DEBUT OF THE NEW STAR FROM SWEDEN!

TO THE VICTOR

with VICTOR FRANCEN · BRUCE BENNETT · DOROTHY MALONE · TOM D'ANDREA · Directed by DELMER DAVES · Produced by JERRY WALD · Written by Richard Brooks

TO THE HIPPODROME, Cleveland
TO THE ALBEE, Cincinnati
TO THE VICTOR, Newcastle
TO THE CIRCLE, Indianapolis
TO THE STANLEY, Pittsburgh
TO THE STRAND, Albany
TO THE WINTER GARDEN, Jamestown
TO THE CAPITOL, Springfield
TO THE WARNER, Worcester
TO THE PALACE, Lawrence
TO THE WARNER, Memphis
TO THE STRAND, Hartford
TO THE WARNER, Bridgeport
TO THE MERRITT, Bridgeport
TO THE STATE, Waterbury
TO THE STRAND, New Britain
TO THE GARDE, New London
TO THE PALACE, So. Norwalk
TO THE WARNER, Washington
TO THE CAPITOL, Parkersburg
TO THE ROGER SHERMAN, New Haven
TO THE AMBASSADOR, Washington
TO THE MASTBAUM, Philadelphia
TO THE KEENEY, Elmira
TO THE CAMBRIA, Johnstown
TO THE FAMILY, Batavia
TO THE SHERMAN, Chillicothe
TO THE STANLEY, Baltimore
TO THE COLUMBIA, Sharon
TO THE WARNER, Morgantown
TO THE FAIRMONT, Fairmont
TO THE PALACE, Norwich
TO THE PALACE, Danbury
TO THE WARNER, Torrington
TO THE CAPITOL, Willimantic
TO THE WARNER, Youngstown
TO THE STRAND, New York
TO THE CAPITOL, Steubenville
TO THE LEROY, Portsmouth
TO THE VIRGINIAN, Charleston
TO THE RITZ, Clarksburg
TO THE WARNER, Erie
TO THE HAVENS, Olean
TO THE CAPITOL, Dunkirk
TO THE OHIO, Sandusky
TO THE WARNER, Milwaukee
TO THE ROOSEVELT, Chicago
TO THE AMBASSADOR, St. Louis
TO THE PARAMOUNT, Kansas City
TO THE CAPITOL, Madison
TO THE VENETIAN, Racine
TO THE RIO, Appleton
TO THE SHEBOYGAN, Sheboygan
TO THE WARNER, Hollywood
TO THE WARNER, Los Angeles
TO THE WILTERN, Los Angeles

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

Cecil B. DeMille's "Unconquered" followed through in the local tradition of all the producer-director's attractions, topping grosses in its first week at the two Paramounts. However, faultless weather was not enough to brighten most of the over-all box-office gloom shrouding the area. Estimated receipts for the week ended April 14:

THE BRIDE GOES WILD (M-G-M)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $7,200. (Average: $13,900)

THE BRIDE GOES WILD (M-G-M)—FOX WILSHIRE (2,300) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $7,000. (Average: $13,800)

THE BRIDE GOES WILD (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 5 days, 3rd week. Gross: $8,500. (Average: $21,200)

THE FUGITIVE (RKO Radio-Argosy)—FOUR STAR (900) (50c-60c-85c-$1.00) 2rd week. Gross: $7,500. (Average: $11,400)

THE FUGITIVE (RKO Radio-Argosy)—PALACE (1,237) (50c-60c-85c-$1.00) 3rd week. Gross: $10,000. (Average: $21,000)

I REMEMBER MAMA (RKO Radio)—HILLSTREET (2,700) (50c-60c-80c-$1.00) 2nd week. Gross: $17,800. (Average: $18,300)

I REMEMBER MAMA (RKO Radio)—PANTAGES (2,000) (50c-60c-80c-$1.00) 2nd week. Gross: $19,600. (Average: $17,300)

LOST HORIZON (Col.—Re-release) and ADAM HAD FOUR SONS (Col.—Re-release)—MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00) 6 days. Gross: $3,700. (Average: $4,300)

LOST HORIZON (Col.—Re-release) and ADAM HAD FOUR SONS (Col.—Re-release)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00) 6 days. Gross: $13,000. (Average: $9,600)

LOST HORIZON (Col.—Re-release) and ADAM HAD FOUR SONS (Col.—Re-release)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00) 6 days. Gross: $4,200. (Average: $5,200)

LOST HORIZON (Col.—Re-release) and ADAM HAD FOUR SONS (Col.—Re-release)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00) 6 days. Gross: $3,700. (Average: $4,300).

NAKED CITY (U-I)—GUILD (965) (50c-60c-85c-$1.00) 5th week. Gross: $5,000. (Average: $7,100)

NAKED CITY (U-I)—IRIS (708) (50c-60c-85c-$1.00) 5th week. Gross: $5,000. (Average: $7,100)

NAKED CITY (U-I)—RITZ (1,376) (50c-60c-85c-$1.00) 5th week. Gross: $8,500. (Average: $10,300)

NAKED CITY (U-I)—STUDIO (880) (50c-60c-85c-$1.00) 5th week. Gross: $5,000. (Average: $6,900)

NAKED CITY (U-I)—UNITED ARTISTS (2,100) (50c-60c-85c-$1.00) 5th week. Gross: $8,500. (Average: $15,400)

OLD LOS ANGELES (Rep.) and THE INSIDE STORY (Rep.)—BELMONT (1,600) (50c-60c-85c-$1.00). Gross: $5,500. (Average: $6,600)

OLD LOS ANGELES (Rep.) and THE INSIDE STORY (Rep.)—EL REY (861) (50c-60c-85c-$1.00). Gross: $5,500. (Average: $7,000)

OLD LOS ANGELES (Rep.) and THE INSIDE STORY (Rep.)—ORPHEUM (2,210) (50c-60c-85c-$1.00). Gross: $13,000. (Average: $14,300)

OLD LOS ANGELES (Rep.) and THE INSIDE STORY (Rep.)—VOGUE (800) (50c-60c-85c-$1.00). Gross: $6,000. (Average: $7,500)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th Fox-Reliance)—CHINESE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $18,500. (Average: $15,700)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th Fox-Reliance)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 2nd week. Gross: $20,500. (Average: $21,700)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th Fox-Reliance)—LOYOLA (1,265) (50c-60c-85c-$1.00) 2nd week. Gross: $11,500. (Average: $10,000)

SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th Fox-Reliance)—UPTOWN (1,716) (50c-60c-85c-$1.00) 2nd week. Gross: $14,500. (Average: $10,800)

TO THE VICTOR (WB)—WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 6 days. Gross: $16,000. (Average: $16,300)

TO THE VICTOR (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 6 days. Gross: $13,00. (Average: $12,400)

TO THE VICTOR (WB)—WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 6 days. Gross: $12,000. (Average: $12,600)

UNCONQUERED (Para.)—PARAMOUNT (Downtown) (3,595) (50c - 60c - 80c - $1.00). Gross: $26,500. (Average: $21,000)

UNCONQUERED (Para.)—PARAMOUNT (Hollywood) (1,407) (50c - 60c - 80c - $1.00). Gross: $17,000. (Average: $15,000)

PHILADELPHIA

Poor weekend weather took off some of the edge of local box offices. However, all new bookings drew healthy grosses. Estimated receipts for the week ending April 13-15:

APRIL SHOWERS (WB)—MASTBAUM (4,700) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $16,200. (Average: $27,800)

B. F.'s DAUGHTER (M-G-M)—BOYD (3,000) (50c-60c-74c-80c-85c-94c). Gross: $24,600. (Average, $23,100)

THE BIG CLOCK (Para.)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c). Gross: $19,000. (Average: $12,000)

THE BRIDE GOES WILD (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c). Gross: $25,000. (Average: $22,400)

BLACK BART (U-I)—STANTON (1,700) (50c-60c-74c-80c-85c-94c). Gross: $13,300. (Average: $11,900)

CALL NORTHSIDE 777 (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $14,000. (Average: $20,400)

A DOUBLE LIFE (U-I)—KEITH (2,200) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $7,500. (Average: $6,100)

THE FUGITIVE (RKO Radio)—ALDINE (900) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $10,500. (Average: $13,200)

I REMEMBER MAMA (RKO Radio)—ERLANGER (1,800) (50c-60c-74c-80c-85c-94c) Gross: $18,000. (Average: $18,000)

MIRACLE OF THE BELLS (RKO Radio)—EARLE (3,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $23,800. Average: $24,300)

NAKED CITY (U-I)—STANLEY (3,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $18,900. (Average: $20,500)

SAIGON (Para.)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $2,600. (Average: $6,000)

DENVER

"Sitting Pretty" gathered the lion's share of first-run business. Wet spring snow hurt grosses slightly. Estimated receipts for the week ending April 14:

DOUBLE LIFE (U-I)—ALADDIN (1,400) (35c-74c) 7 days, after a week at the Denver and Esquire. Gross: $4,000. (Average: $2,500)

GENTLEMAN'S AGREEMENT (20th-Fox)—RIALTO (878) (35c-74c) 7 days, after two weeks at the Paramount and one each at the Esquire and Webber. Gross: $3,000. (Average: $3,000)

I REMEMBER MAMA (RKO Radio)—ORPHEUM (2,600) (35c-74c) 7 days, 2nd week. Gross: $13,500. (Average: $13,500)

SIGN OF THE RAM (Col.) and RETURN OF THE WHISTLER (Col.)—PARAMOUNT (2,200) (35c-74c) 7 days. Gross: $11,000. (Average: $10,000)

SITTING PRETTY (20th-Fox) and TENDER YEARS (20th-Fox)—DENVER (2,525) (35c-74c) 7 days, day and date with the Esquire and Webber. Gross: $20,000. (Average: $13,000)

SITTING PRETTY (20th-Fox) and TENDER YEARS (20th-Fox)—ESQUIRE (742) (35c-74c) 7 days, day and date with the Denver and Webber. Goss: $4,000. (Average: $2,000)

SITTING PRETTY (20th-Fox) and TENDER YEARS (20th-Fox)—WEBBER (750) (35c-74c) 7 days, day and date with the Denver and Esquire. Gross: $3,500. (Average: $2,000)

UNCONQUERED (Para.)—DENHAM (1,750) (35c-70c) 7 days, 3rd week. Gross: $9,000. (Average: $11,000)

WOMEN OF THE NIGHT (FC) and FLAME OF NEW ORLEANS (FC)—TABOR (1,967) (35c-74c) 7 days. Gross: $12,000. (Average: $8,000)

BOSTON

Receipts continued to climb slightly, assisted by fair but unseasonally cool weather. Leading hold-over grosser was "Naked City." Estimated receipts for the week ended April 14:

CASBAH (U-I)—BOSTON (2,900) (50c-$1.10) Stage show. Gross: $30,000. (Average: $28,500)

I REMEMBER MAMA (RKO Radio)—MEMORIAL (2,900) (40c-80c) 3rd week. Gross: $22,000. (Average: $27,000)

NAKED CITY (U-I)—ORPHEUM (3,900) (40c-80c) 2nd week. Gross: $24,000. (Average: $24,200)

NAKED CITY (U-I)—STATE (2,900) (35c-80c) 2nd week. Gross: $14,000. Average: $14,500)

THE BIG CLOCK (Para.)—METROPOLITAN (4,736) (40c-80c). Gross: $31,000. (Average: $28,500)

UNCONQUERED (Para.)—FENWAY (1,700) (40c-80c). Gross: $5,600. (Average: $5,300)

UNCONQUERED (Para.)—PARAMOUNT (1,700) (40c-80c). Gross: $14,500.

MINNEAPOLIS

Loop theatres reported a favorable week with three films, led by "Gentleman's Agreement," doing fine business. Estimated grosses for the week ending April 15:

A DOUBLE LIFE (U-I)—STATE (2,300) (50c-70c) 7 days. Gross: $13,500. (Average: $11,800)

BADLANDS OF DAKOTA and TRAIL OF THE VIGILANTES (FC Reissues)—GOPHER (1,000) (44c-50c) 7 days. Gross: $3,800. (Average: $3,500)

CALL NORTHSIDE 777 (20th-Fox)—LYRIC (1,100) (50c-70c) 7 days, 4th week. Gross: $4,800. (Average: $5,500)

GENTLEMAN'S AGREEMENT (20th-Fox)—RADIO CITY (4,000) (50c-70c) 7 days. Gross: $21,000. (Average: $17,000)

I REMEMBER MAMA (RKO Radio)—RKO ORPHEUM (2,800) (50c-70c) 7 days, 2nd week. Gross: $13,500. (Average: $13,500)

THE FIGHTING 69TH and VALLEY OF THE GIANTS (WB Reissues)—RKO PAN (1,500) (50c-70c) 7 days. Gross: $7,000. (Average: $8,800)

UNCONQUERED (Para.)—CENTURY (1,500) (50c-70c) 7 days, 3rd week (moveover from Radio City). Gross: $5,100. (Average: $6,100)

PITTSBURGH

"The Bride Goes Wild" started strongly in the Stanley despite inclement weather. "The Big Clock" also did better than average for its second week in the Stanley. Estimated receipts for the week ending April 15:

I LOVE TROUBLE (Col.) and WRECK OF HESPERUS (Col.)—SENATOR (1,700) (44c-60c-76c) 5 days. Gross: $2,500. (Average: $3,200)

PANHANDLE (Mono.)—FULTON (1,700) (44c-60c-76c) 7 days. Gross: $9,000. (Average: $9,700)

MIRACLE OF THE BELLS (RKO Radio)—WARNER (2,000) (44c-60c-76c) 7 days, 3rd week. Gross: $10,000. (Average: $8,000)

THE BIG CLOCK (Para.)—STANLEY (3,800) (44c-60c-76c) 7 days, 2nd week. Gross: $18,000. (Average: $15,000)

THE BRIDE GOES WILD (M-G-M)—PENN (3,400) (44c-60c-76c) 7 days. Gross: $21,000. (Average: $15,000)

THE NAKED CITY (U-I)—J. P. HARRIS (2,000) (44c-60c-76c) 5 days, 3rd week. Gross: $5,500. (Average: $11,000)

UNCONQUERED (Para.)—RITZ (1,100) (44c-60c-76c) 7 days, 3rd week, on a moveover from the Penn. Gross: $4,300. (Average: $3,500)

KANSAS CITY

Weather included warm days, clear, and rain. Ice Capades of 1948 earned a reported $72,000 in eight days, $1,000 less for each performance than in 1947. There were few other counter-attractions. Estimated receipts for the week ending April 13-15:

GENTLEMAN'S AGREEMENT (20th-Fox)—FAIRWAY (700) (45c-65c) 7 days. Gross: $3,150. (Average: $1,750)

GENTLEMAN'S AGREEMENT (20th-Fox)—TOWER (2,100) (45c-65c) 7 days. Gross: $16,200. (Average: $9,000)

GENTLEMAN'S AGREEMENT (20th-Fox)—UPTOWN (2,000) (45c-65c) 7 days. Gross: $10,800. (Average: $6,000)

I REMEMBER MAMA (RKO Radio)—ORPHEUM (1,900) (45c-65c) 7 days, 2nd week. Gross: $12,500. (Average: $10,000)

MATING OF MILLIE (Col.) and ADVENTURES IN SILVERADO (Col.)—MIDLAND (3,500) (45c-65c) 7 days. Gross: $15,500. (Average: $15,000)

SITTING PRETTY (20th-Fox)—ESQUIRE (800) (45c-65c) 7 days, on a moveover, 3rd week. Gross: $4,500. (Average: $5,000)

UNCONQUERED (Para.)—PARAMOUNT (1,900) (45c-65c) 7 days, 2nd week. Gross: $9,000. (Average: $10,000)

OMAHA

Despite the heavy pull of three Presidential candidates appearing in the city, Omaha theatres had a good week. Good weather helped. Estimated receipts for the week ending April 14-15:

ALBUQUERQUE (Para.) and THE RETURN OF RIN TIN TIN (Col.)—ORPHEUM (3,000) (50c-65c). Gross: $14,000. (Average: $9,400)

THE BIG CLOCK (Para.)—PARAMOUNT (2,900) (50c-65c). Gross: $12,100. (Average: $10,600)

CASS TIMBERLANE (M-G-M)—STATE (750) (50c-65c) 3rd week. Gross: $4,700. (Average: $5,000)

I REMEMBER MAMA (RKO Radio)—RKO BRANDEIS (1,100) (50c-65c) 2nd week. Gross: $7,700. (Average: $6,800)

YOU WERE MEANT FOR ME (20th-Fox) and PERILOUS WATERS (Mono.)—OMAHA (2,000) (50c-65c) 4 days, 2nd week, for "You Were Meant for Me," on a moveover from the Paramount. Gross: $5,600. (Average: $8,600)

Set Canadian Group On Industrial Films

OTTAWA, April 14.—Formation of a nationwide Canadian organization for the promotion and control of the use of films in industry was decided here today at a conference at which some 30 groups were represented. Included were the National Film Board, Film Producers Association of Canada, Armed Services Film Bureau, Montreal Industrial Film Council and goverment departments and bureaus as well as industry associations.

Adult Admissions

(*Continued from page* 1)

crease since November, except the East, where no change occurred.

Cities of over half-a-million population average 59.1 cents, towns under 10,000, 44.7 cents. The report reflects any changes made in state and local taxation during the November-to-March period, and also distributors' advanced-admission prices.

MAGIC SHADOWS

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US Films Overfill Japanese Theatres

WASHINGTON, April 14.—Japanese theatres showing American films to Jap audiences are packed to 110 per cent of capacity, and all such houses have long lines of natives awaiting admission, reports Brig. Gen. Robert A. McClure, chief of the New York field office of the Army Civil Affairs Division, who has just returned from a month's survey in Japan.

Gen. McClure is not enthusiastic, however, about the type of American films being shown. "Unfortunately," McClure said, "too many films have been of the Wild West, Billy-the-Butcher-Boy type. While these may appeal to Japanese tastes," he continues, "it is part of our program of education to induce them to see a better type. In this desire of ours we have the backing of Eric Johnston and his Motion Picture Association of America. We have reason to expect that we will succeed."

McClure said that the American information center in Korea uses as its symbol an 18-inch figure of Mickey Mouse. All the Koreans who were asked what they thought would be the most recognizable symbol of the U. S. agreed on Mickey Mouse.

Italy's 'Thanks' to Be Released by 20th

"Thanks, America," produced in Italy and financed by public subscription as an expression of Italian gratitude for food and clothing shipped by Americans, will be distributed immediately to U. S. theatres, Eric Johnston, president of the Motion Picture Association of America, announced here yesterday. Distribution will be through 20th Century-Fox.

Donation to Italians

U. S. film companies have voted to give 3,000,000 lira ($6,000) to restore the Compo Santo (cemetery) in Pisa, Italy, it has been disclosed here by Gerald M. Mayer, Motion Picture Association of America's international director.

Para. Video

(*Continued from page* 1)

why it shouldn't develop so that theatres in any other city could have it.

The Paramount television method involves recording the event on film within 66 seconds after it comes off the television tube and then flashing it on the screen by means of standard 35mm projection.

The boxing bouts last night were relayed from their source at the Navy Y. M. C. A. in Brooklyn by microwave relay to the roof of the News Building and then to the Paramount Building where it was recorded on film and flashed on the screen within the 66 seconds. Reception was impossible for a television receiver other than the one in the projection booth of the theatre.

Two boxing bouts lasting 18 minutes were shown and the images were sharp and effective. Audience response was marked. When one fighter was floored, a wave of excitement went through the theatre. When the decision was given, spontaneous applause mingled with sounds of dissatisfaction.

Raibourn disclosed that a poll was taken to determine the audience reaction. Asked about the possibility of bringing the Joe Louis-Joe Walcott fight to the theatre, Raibourn revealed that it has been discussed. He said that he didn't think the networks had exclusive rights to the fight and that it might be shown on the Paramount Theatre screen in agreement with Madison Square Garden "at special admissions." When questioned about the cost of developing the special television system, he said that it was "less than $1,000,000."

Reviews

"Another Part of the Forest"

(*Universal-International*)

Hollywood, April 14

BRILLIANT production and performances characterize this picturization of Lillian Hellman's stage success depicting a decadent American family whose similarly decadent descendants were dramatized in the same playwright's "Little Foxes." An essentially similar story, accentuating chicanery, avarice, deceit and treachery, it diligently explores the venality of all principal characters and ends on a fatalistic note with the depraved eldest son of a depraved family head triumphant.

The box-office prosperity of "Little Foxes" argues that this likewise skillful, but depressing, study in evil can thrive commercially also, in spite of recent disappointing returns chalked up to films concentrating on degradation. A marquee magnetism cast including Fredric March, Dan Duryea, Edmund O'Brien, Ann Blyth, Florence Eldridge and Donna Drake, presupposes strong opening business.

March powerfully portrays a hated merchant money-lender in a small Southern town which still is smarting in 1880 from the Confederacy's defeat. He abusively dominates his loyal wife (Miss Eldridge), his scheming sons (O'Brien and Duryea) but humors his secretly immoral daughter (Miss Blyth) who seeks marriage into local society. Plotted against by all his children, in an intricate maze of avaricious conspirings, deceptions and double crosses, he loses control, ultimately, to O'Brien following the latter's discovery that his father is an unidentified traitor on whom the townsfolk have vowed lynch vengeance. Picture ends with all characters, save the mother's, deteriorated completely.

Production by Jerry Bresler, direction by Michael Gordon and script by Vladimir Pozner are uniformly excellent.

Running time, 107 minutes. Adult classification. Release date, net set.

WILLIAM R. WEAVER

"The Lady from Shanghai"

(*Columbia*)

AS those in the trade know, Rita Hayworth is a name to make just about any showman's marquee twinkle invitingly. For her leading man in this cloudy melodrama of murder and retribution, Columbia has provided her with Orson Welles who also handled such versatile chores here as producer, director and writer of the screenplay.

Throughout the story there broods an atmosphere of morbid expectancy, but what gives the picture an exceptional quality are the adroit camera angles in which most of the action is focussed. Welles, an Irish merchant-sailor, becomes strangely attracted to Miss Hayworth, and presently is invited by her crippled lawyer husband, Everett Sloane, to go along as deck mate on a luxury cruise. There subsequently pile up sinister doings which result in Welles being neatly framed for murder. Something of the fascination of a sight-seeing travelogue takes place as the cruise departs from New York, goes through the Panama Canal and winds up in San Francisco.

While the drama, which departs from formula all the way, manages always to be engrossing, the motivations do not always ring true. Quite a powerful note ends the film, in which the real conspirators, Miss Hayworth and Sloane, shoot it out with one another in an amusement park mirror maze. Especially noteworthy characterizations are contributed by Ted de Corsia and Glenn Anders. Welles' off-stage voice narrates the action, based on a Sherwood King novel.

Running time, 87 minutes. Adult audience classification. Release date, not set.

MANDEL HERBSTMAN

RCA Consolidates Industry Activities

CAMDEN, April 14. — Consolidation of RCA motion picture activities into a new theatre and recording equipment section, with Barton Kreuzer as manager, was announced here by Frank M. Folsom, RCA vice-president in charge of the Victor division.

The new section consists of the theatre equipment group, the film recording group, and Brenkert Light Projection. J. F. O'Brien heads theatre equipment, Kreuzer is in charge of film recording, and Karl Brenkert is president of Brenkert, in Detroit.

Forrest Will Direct SMPE Study of Color

Committee on film preservation of the Society of Motion Picture Engineers, which will devote special study to the working life and preservation of motion pictures in color, has been reorganized under the new chairmanship of Dr. Charles G. Weber, member of the staff of the U. S. Bureau of Standards in Washington, who yesterday appointed J. L. Forrest of Ansco as head of a color study group at a meeting held here.

Others at the meeting included: John G. Bradley of the Library of Congress; Robert T. Holland, Ansco; Terry Ramsaye, editor of *Motion Picture Herald;* T. F. LoGiudice, SMPE staff engineer; John A. Mauer, engineering vice-president of SMPE.

Extend Meyer's Contract

HOLLYWOOD, April 14.—Contract of Fred S. Meyer, 20th Century-Fox labor relations director, has been extended for another two years.

Short Subject

"Life with Junior"

(*March of Time—20th-Fox*)

The social world of the small child, a distinctive world all its own, is entertainingly explored in this latest March of Time, which also provides the answers to some baffling questions concerning junior's personality. A subject to evoke audience response, it also deals seriously with the problems of the "difficult" child. Running time, 18 minutes.

Legion Classifies 15 More Pictures

Of 15 additional films classified by the Legion of Decency, the following were placed in Class A-I: "Adventures in Silverado" and "Song of Idaho," Columbia; "Fighting Father Dunne," RKO Radio; "Fury at Furnace Creek," 20th Century-Fox; "Prairie Outlaws," Eagle-Lion. In Class A-II: "Arizona Ranger," RKO; "Arthur Takes Over," 20th-Fox; "Farrebique" (French), Siritzky International; "Opernball" (German), Wien Film; "River Lady," Universal-International; "Silver River," Warner.

Placed in Class B were: "Anna Karenina," 20th-Fox; "Antoine and Antoinette" (French), Siritzky International; "Hazard," Paramount; "Letter from an Unknown Woman," Universal-International.

Argentine Ban

(*Continued from page* 1)

was seen in the Argentine government's granting permission to U. S. and other foreign distributors to remit all dollars accruing from the limited imports now allowed in that country.

The large-scale banning of outside product is said to be related to Argentina's program for eventually nationalizing the film industry in that country; radio already has been nationalized there. The government is understood to be ready to purchase a minimum of 51 per cent of any and all producing and distribution companies operating within its borders.

Another reason for the severity of the restrictions is said by Argentinian film interests in New York to be in retaliation for tacit or open refusal of interests or governments of other countries to permit Argentine films to gain a foothold in their markets. Producers of that country turn out about 40 features annually and numerous shorts.

Extent of the loss of three-fourths of the Argentine market to U. S. companies could not be determined here, but it is said to be considerable. American companies send some 300 to 400 features to Argentine's 1,500 theatres annually. The new restrictions do not apply to newsreels.

THEATRES
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Through
B. F. GUDWIN AND CO.
BROKERS
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He gives the scene its French accent...

PLAINLY, everything about this scene says Paris—though filmed in a studio far from France.

For the property man has provided the French accent in every eloquent detail, fixing unmistakably the picture's time and place.

And with equal ingenuity this latter-day Aladdin can bring forth the properties that effectively point up any city, any century . . . can put pioneer or princeling "in his place."

Thus, through him, motion pictures take on atmosphere and color; the realm of make-believe becomes believable. Yet the full effect of his achievement might well be lost except for faithful photographic reproduction. This is provided—in full measure—by the famous family of Eastman motion picture films.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 53. NO. 74 | NEW YORK, U. S. A., FRIDAY, APRIL 16, 1948 | TEN CENTS

Foundation Trustees to Meet May 11

Progress of Committees Reported by Richards

Program and finance reports stemming from five months of studying and planning by several Motion Picture Foundation committees and sub-committees will be made on May 11 and 12 when the MPF board of trustees holds its second meeting. E. V. Richards, Jr., Foundation president, yesterday announced that the meeting will be held at the Hotel Astor here. The trustees held their first organizational meeting here early in December.

Richards said the MPF finance committee will meet here on May 10 and the program-and-scope committee will meet the following day before general sessions get under way. He

(*Continued on page 3*)

Loew's 28-Week Net Down to $3,886,745

Net profit of $3,886,745, or 75 cents per common share, after Federal taxes and payment of minority interests' share, was reported here yesterday by Loew's, Inc., for the 28 weeks ended March 11, 1948. This compares with $8,596,779, or $1.67 per share, for the 28 weeks ended March 13, 1947.

Taxes were $2,742,694 and minority interests' share was $477,995 for the 28 weeks, against $5,525,016 and $442,008, respectively, for the corresponding period one year ago.

For the 16 weeks ended March 11, 1948, gross sales and operating revenues rose to an estimated $59,127,000, over the $56,655,000 in the corresponding period last year.

Labor Costs Are Not High: Golden

Although Hollywood studio labor costs have risen in recent years, they are but an insignificant part of the over-all rise in production expenses, independent producer Edward A. Golden declared here yesterday. He admitted that his view is quite different from that of almost every other producer, but he cited a few figures to support his contention.

Labor, Golden said, does not get

(*Continued on page 3*)

20 Variety Clubs Pledge $994,000 to '48 Charities

By RED KANN

MIAMI BEACH, April 15.—With Tent No. 17 of Dallas in the vanguard with a $150,000 pledge, 20 Variety Club tents today committed themselves to raise an aggregate of $994,000 for charity this year. Thirteen others will declare themselves tomorrow when international officers, not satisfied with today's progress, are expected to hypo each tent's commitment into a higher bracket.

Tent No. 5, Detroit, was hard on Dallas' heels with $130,000. Tent No. 12, Minneapolis, and Tent No. 13,

(*Continued on page 3*)

4 More Percentage Suits Are Filed

Paramount, Warner, Big U Film Exchange (Universal) and Columbia have started separate percentage-payment actions in New York Supreme Court against Sidney Cohen, Philip Eisenberg, Rhinehook Theatres and Millerton Amusement Corp.

Theatres involved are the Starr, in Rhinebeck; Lyceum, Red Hook; Pine Plains, Pine Plains; Millerton, Millerton, all in New York, and the Stuart, Lakeville, Conn.

Paramount claims damages of $25,000; Warner, $15,000; Big U. $5,000, and Columbia, $5,000.

On January 30, Loew's and RKO Radio instituted similar actions in Federal Court against the same defendants.

Lawson Loses One More Trial Round

WASHINGTON, April 15.—Attorneys for screen writer John Howard Lawson today were defeated in efforts to enlist the aid of testimony by motion picture industry executives in his behalf.

Justice Edward M. Curran ruled finally that the House Un-American

(*Continued on page 3*)

Herzog Elected a Cinecolor Executive

HOLLYWOOD, April 15.—Karl Herzog, former vice-president and treasurer of Cinecolor and Film Classics, was elected Cinecolor executive vice-president today at a special meeting of the company's board. The action makes Cinecolor and Film Classics executive personnel identical.

Holds Video, Like Juke Box, Tax Free

Washington, April 15.—Internal Revenue Bureau ruled today that bars and other public places with television are exempt from the 20 per cent cabaret tax unless they permit dancing, singing or other entertainment. Bars and other places showing motion pictures are subject to the cabaret tax.

Officials said, "A line has to be drawn somewhere and television is closer to the radio-juke box class than to the motion picture class."

Commons Riled at UK Tax Peace 'Leak'

LONDON, April 15.—Resentment seethed in the House of Commons today over what was described as premature, unauthorized disclosure in America of the British film tax agreement details. British Board of Trade president Harold Wilson, who was barraged with questions by opposition members of Commons, admitted that there was a private leak of information to America, but disclaimed responsibility for it.

Wilson promised Commons that the text of the agreement will be published in full immediately upon finalization of details. He refused to comply with an opposition proposal that publication be made now since every

(*Continued on page 3*)

French May Relax Film Dubbing Rule

WASHINGTON, April 15. — An agreement is reported near with French officials on a relaxation of France's "two-year dubbing rule." U. S. Government and film industry officials have insisted that this and other concessions must be made before a French request to reopen the Blum-Byrnes agreement is acceded to.

Under the dubbing rule, France has in effect barred the showing of American films older than two years. Americans, it is reported, seek a relaxation of the rule to permit a limited number of older films to be

(*Continued on page 3*)

Non-Taxable Divestiture Sales Urged

Defendants Ask Congress Pass Protective Measure

By CHARLES L. FRANKE

The theatre-owning distributors, allowing for possible U. S. Supreme Court affirmation of the lower court's theatre divestiture ruling in the industry anti-trust suit, are sharpening their efforts to persuade Congress that proposed legislation dealing with tax administration should include tax exemption for forced sale of a theatre when a seller reinvests the proceeds in new theatre properties.

The New York Federal Court ruled that if a distributor owns less than 95 per cent interest in a theatre and more than five per cent, it must acquire the maximum or dispose of all but five per cent or divest itself of the theatre. The transaction would be taxable on a number of counts.

The theatre-owning trust suit de-

(*Continued on page 2*)

20th Starts Loop Selling on Bids

CHICAGO, April 15.—As a further step in establishing a new selling policy under the Jackson Park decree, 20th-Fox is offering two films for first-run Loop theatres in open competitive bidding. The pictures are "Sitting Pretty," booked into the B. and K. Chicago Theatre for April 29, and "Fury of Furnace Creek," date not set.

It is understood the company has not established a fixed policy on all films under the new plan. Metro is the only other distributor selling films in the Loop on a bidding basis.

Osserman, Havas and Clarke Are Promoted

Personnel changes in RKO Radio foreign distribution put Jack Osserman in charge of home office control of Latin American operations, in addition to other duties. He is replaced by Michael Havas as supervisor in Latin America. Also, Ned Clarke, who formerly handled Latin America, will assume similar duties in the Far East. Jack Kennedy is assuming a new post in charge of non-theatrical and transportation bookings, both 35mm and 16mm.

Personal Mention

CECIL B. DEMILLE, Paramount producer-director, will be guest of honor tomorrow at a luncheon tendered by the Empire State Society of Sons of the American Revolution in New York.

•

HARRY and MRS. LOWENSTEIN, Ardmore, Okla., and MRS. MORRIS LOEWENSTEIN, Oklahoma City, will visit Cuba and New Orleans after leaving Miami, where they attended the Variety Clubs convention.

•

BEN HENRY, Universal-International home office representative in Great Britain and Eire, and MRS. HENRY, who arrived in New York this week from Europe, will go to the Coast next week.

•

MILDRED LUSTBERG of the Columbia advertising department here will be married this weekend to DANIEL WAGNER.

•

MOE KERMAN, Favorite Films president, returned to his desk yesterday after a three-week absence due to illness.

•

MAUREY L. ASHMANN, Interboro Theatre executive, has entered Crown Heights Hospital, Brooklyn, for a minor operation.

•

HARRY KAPIT, General Film Productions president, accompanied by his wife and their son, ELBERT, are en route to the Coast from New York.

•

CHARLES BARRY, ABC vice-president of radio and television programming, will leave here tonight for Cleveland.

•

LOUIS DEROCHEMONT, producer, has given $1,200 to New Hampshire University to aid student screen writers.

•

ALAN F. CUMMINGS, M-G-M exchange operations head, is due back in New York today from Detroit.

•

BETTY HUTTON and her husband, THEODORE BRISKIN, have become parents of their second daughter.

•

L. E. BONNER of Greenville, Miss., has opened a new theatre there called the Rex.

•

GEORGE PLANCK, Northio Circuit general manager, has purchased the Ohio at Loudenville, O.

•

WHITEY MOORE, former ace pitcher, will assist URBAN ANDERSON of Tuscarawas Amusement Co., Ohio.

•

EDDIE RICHARDSON, manager of Loew's Granada, Cleveland, and MRS. RICHARDSON are vacationing here.

•

PAUL AMADEO is the new manager at the E. M. Loew Theatre, Hartford.

•

EDDIE SELET, formerly of Boston, has been named manager of HENRY OPPER'S Crown, Hartford.

Truman Asks for a 2nd 'Union' Showing

Washington, April 15.—President Truman is becoming a one-man sales staff for "State of the Union."

The President saw the film at a special White House Correspondents Association preview here last week. He liked it so well that he asked Carter Barron, local Loew-M-G-M representative, to send a print over to the Presidential yacht Williamsburg for a second look-see.

K-MTA Sets Regional Meets on TOA Plans

KANSAS CITY, April 15.—Plans for a series of regional meetings to discuss the public relations and youth programs charted by Theatre Owners of America at its recent convention in Los Angeles were completed today by the directors of Kansas-Missouri Theatres Association. Senn Lawler reported on the programs mapped by the national organization.

Regional meetings will be held as follows: Hays, Pratt and Independence, all Kansas, April 20, 21 and 22; Kansas City, May 3; Chillicothe, Mo., May 5, and Neosho, Mo., May 6. Officers and directors will attend all the meetings.

Ad Group Discusses TOA Cooperation

A policy of continuing cooperation with the Theatre Owners of America was discussed here yesterday by the Advertising and Publicity Directors committee of the Motion Picture Association of America, at a luncheon-meeting presided over by Charles Schlaifer in the absence of Maurice Bergman, who is ill.

John Joseph, head of Universal-International's advertising-publicity, and chairman of the Studio Publicity Directors committee on the Coast, attended the meeting.

New England Unit To Meet May 4-5

BOSTON, April 15.—A convention marking the 20th anniversary of Independent Exhibitors of New England will be held at the Hotel Somerset here, May 4 and 5.

89% in N.M. Pay TOA

Russell Hardwicke, secretary of the New Mexico Theatre Association, yesterday advised Robert W. Coyne, executive director of the Theatre Owners of America, here, that 69 theatres, representing 88.8 per cent of the total seating capacity of that state, had paid their TOA assessments. All but 16 are independently owned.

Vincent Valentini, 56

BALTIMORE, April 15.—Vincent Valentini, 56, scenarist for Herald Pictures, New York, died here this morning. Besides scenarios for Negro pictures, he wrote vaudeville and music.

Surplus Penalty Tax May Be Eased

WASHINGTON, April 15.—The House Ways and Means Committee is considering a proposal to ease the penalty tax on unreasonable accumulation of surplus earnings.

Two other joint committee proposals which the Ways and Means group is considering, but which are less likely of adoption because they involve too large sums of revenue, would exempt all inter-corporate dividends from taxes (instead of 85 per cent as at present) and repeal the two per cent tax on consolidated income returns.

The proposal would permit a corporation to file a statement of how it plans to use the accumulation and then place on the Internal Revenue Bureau the burden of proof that the accumulation is "unreasonable." It would also apply the tax only to the excess, rather than to an entire income, and would give the company 75 days after the end of a tax year to pay extra dividends.

Divestiture Sales

(*Continued from page* 1)

fendants, it is reported, are bent on convincing the Senate Finance Committee and the House Ways and Means Committee, now in executive sessions in Washington, that involuntary selling of theatre interests under a Supreme Court ruling should be made tax-free transactions on the same score that buying and selling of properties that result from a government's exercise of the right of eminent domain are made tax free.

Recently Paramount assigned Leslie M. Rapp, of the law firm of Simpson and Thacher, to act as its lobbyist in Washington in this connection. Rapp has registered with Congress under the 1946 Lobbying Act as Paramount's legislative representative.

Industry Has Five Lobbyists Registered in Washington

WASHINGTON, April 15.—Herman Levy, representing the Theatre Owners of America, and Abram F. Myers, representing Allied States Association, have registered with Congress under the 1946 Lobbying Act. Other industry representatives registered as lobbyists are Leslie M. Rapp, attorney for Paramount; Jack Bryson, Motion Picture Association of America, and A. Julian Brylawski, Theatre Owners of Washington, D. C.

Lasky 'Shadows' Review

A review by Jesse L. Lasky of Martin Quigley, Jr.'s new book, "Magic Shadows," the story of the origin of motion pictures, will be published April 20 in *The Scientific Monthly*, published by the American Association for the Advancement of Science, Washington, D. C.

Eyssell Host to Capra

Frank Capra, producer-director of "State of the Union," future booking at Radio City Music Hall, will be tendered a cocktail party by Gus Eyssell, president-managing director of the Hall, on Monday.

Named in Suit, Acts Against Para.

A $450,000 damage action was started here yesterday by Richie Amusement Co., of Brooklyn, operating the Normandie Theatre there, against Paramount for having included that company among the 160-odd defendants in its $563,265 percentage suit against Harry Brandt, et al, it was admitted by the office of Melvin A. Albert, attorney for Richie.

Basis for the action is the contention that Brandt did not book pictures into the house, as alleged in Paramount's complaint. Richie officers Robert Kropp, Sol Rosenberg, David L. Holzer and David Berk seek $100,000 each in addition to $50,000 damages for the company.

Arthur Mayer Says Rialto Not Sold—Yet

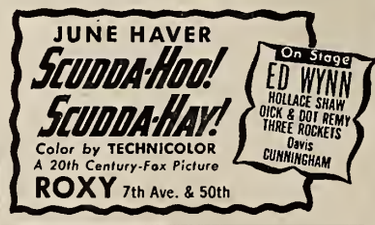
Arthur Mayer yesterday disputed, nay, denied, MOTION PICTURE DAILY's report that he had closed a deal for the sale of his Rialto Theatre to James J. Mage, who wants it as a Broadway showcase for his foreign film imports.

Said Mayer: "A deal may be closed tomorrow and again it may not. There is no deal yet and there won't be until the cash has been put up and the papers signed."

MOTION PICTURE DAILY is happy to clear the matter up by making this correction.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES Oscar HOMOLKA Philip DORN
Produced by HARRIET PARSONS
SPECTACULAR STAGE PRESENTATION



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Lawson Trial

(*Continued from page* 1)

Activities Committee had the right to ask Lawson whether or not he has ever been a member of the Communist Party. He is charged with contempt of Congress for refusing to answer this question.

Curran sustained Government objections to the questions, decreed the question to be pertinent, and thereby denied the defense the opportunity to present five more industry figures in support of its contentions. Louis B. Mayer, Dore Schary, producer, John Houseman, Irene Lee, story editor for Hal Wallis, and *New York Post* dramatic critic Richard Watts, Jr., were to have been called.

Lawson Silence 'Only Issue'

In making his decision, Curran reemphasized that the only issue to be decided is whether or not Lawson refused to answer the committee's question.

Schary was called to the stand later, to testify before the jury in regard to the committee's probe in Hollywood last summer. He was asked whether he had been told by committee investigators that "there would be trouble with the House Un-American Activities Committee unless the motion picture industry cleaned house."

Curran sustained the objection of Assistant U. S. Attorney William B. Hitz and the RKO Radio executive vice-president was excused.

The defense also made a futile effort to have "Counter-Attack," which Lawson wrote, shown to the jury as proof that no subversive propaganda had been inserted.

Object of Defense Moves

The defense moves were calculated to prove that no picture produced in Hollywood contained subversive material and that a writer of screen plays cannot inject such material into his scripts because of the control exercised by director and producer.

Representatives John McDowell, Richard Vail and John Rankin, committee members, and chairman Thomas, will conclude the list of defense witnesses tomorrow. The Government rested its case after calling only one witness, Thomas.

There is a possibility that the case will reach the jury tomorrow.

House Refuses to Permit Release of Lawson Records

WASHINGTON, April 15.—The House today refused to authorize House clerk John Andrews and Un-American Activities Committee chief clerk Robert Stripling to turn over to counsel for John Howard Lawson certain committee documents subpoenaed in connection with the trial now going on in District Court.

Lawson's attorneys had issued subpoenas for all of the House committee's records, correspondence, transcripts, reports, press releases and other material in connection with Un-Americanism or the Hollywood investigations.

Two Must Answer Subpoenas

The House said Andrews and Stripling should answer the subpoenas personally but should not produce records until the court rules which are relevant to Lawson's case. It directed them not to reveal any records of executive sessions or of testimony given privately.

Associates Now Have Over 600 Members

Motion Picture Associates reports 86 new members signed during the past three weeks. Total membership is now over 600. Inducement is a special low initiation fee between now and June 30 to join the charitable and benevolent organization.

Golden on Labor

(*Continued from page* 1)

more than 15 per cent of a picture costing $1,000,000. In general, labor costs are up 30 per cent, but that is not much in light of the present high cost of living, he said. "Hollywood labor costs are fair, the workers are not overpaid, and they do a fine job," was his summation.

Golden paid tribute to the achievements of Motion Picture Association of America president Eric A. Johnston and Society of Independent Motion Picture Producers representative James Mulvey in connection with the British tax settlement, and said he believes remittances under the agreement will come to about 50 per cent of the 1947 income from Britain, taking into account the fact that British film earnings in the U. S. will be retained here. Golden said the agreement should bring about an increase in independent Hollywood production. He pointed out that only about 10 independent pictures were started in the last year and a half, compared with 40 or 50 in the preceding year and a half.

Golden Productions' "Texas, Brooklyn and Heaven" will be released July 15 in eight cities.

M. P. Foundation

(*Continued from page* 1)

has informed the trustees that sufficient progress has been made by the various committees to make a full meeting desirable at that time

MPF's progress will not be hindered by the fact that Allied States Association and Allied units in various parts of the country have elected to refrain from supporting the intra-industry philanthropic organization, it has been indicated by other Foundation spokesmen here. MPF will not endeavor to persuade Allied and its units to join, but will "leave the door open" to Allied to participate whenever it chooses to do so.

U.K. Security Police Eyeing Crown Unit

LONDON April 15. — The government's Security Police have begun a scrutiny of the political activities of members of the Crown Film Unit, government organization.

Among other functions, the Unit makes, for record purposes, films of secret governmental experiments. The probe under way is part of the official "Red" purge in process in several official departments.

Myrna Loy U.N. Delegate

Myrna Loy will be the film delegate to the three-day regional conference of the U. S. Commission for the United Nations Educational, Scientific and Cultural Organization in San Francisco, May 13-15.

Mexican Premiere of "Castile" April 20

MEXICO CITY, April 15.—"Captain from Castile," filmed in part in Mexico by 20th-Fox, will have its Mexican premiere at the Cine Alameda here on April 20 under government auspices. Proceeds from the opening will go to the fund being raised by the Ministry of Public Education for more public schools.

The film will open for a run on April 22 at seven houses here, the Alameda, Mexico, Majestic, Azteca, Acapulco, Gran Via and Bahia.

Report British Films Gaining in Canada

OTTAWA, April 15.—British pictures are gaining slowly but surely on Hollywood productions in the Canadian market, a Canadian Institute of Public Opinion poll indicates. Twenty-two per cent of the men and 29 per cent of the women questioned in the poll favored British films.

ABPC May Reopen British Nat'l Studio

LONDON, April 15. — Negotiations for the re-opening of British National's studio by Associated British are proceeding here. An early announcement is anticipated. The studios were closed about 10 days ago.

Commons Riled

(*Continued from page* 1)

American company here now possesses full details, thereby placing British companies at a grave disadvantage.

Wilson admitted to opposition leader Oliver Stanley that details of the agreement have been published privately. He said that because some particulars are still not settled it would be wrong to make the details public. Stanley held that it is the government's duty to first acquaint Commons with the details.

Under the fire of questions, Wilson said the particulars that have been disclosed do not represent a final agreement between the British government and the Motion Picture Association of America.

French Dubbing Rule

(*Continued from page* 1)

played. The French are reported ready to agree to such a concession. The French, it is understood, have also renewed their pledge to make token payment on accumulated remittances in the near future.

Mexican Program of 3 for Loewenthal

MEXICO CITY, April 15.—A program of three productions to be made in Mexico with a Hollywood group including Paul Kohler, his representative in the American film capital, has been announced here by Rodolfo Loewenthal, European producer. The first will be in Spanish.

39 U.S. Films for Poland

WASHINGTON, April 15.—The Polish government plans the showing of 39 new U. S. films in Poland this year, according to a Commerce Department report. There will be 48 Soviet films, 34 British, 25 French, 15 Czech, six Polish, and eight from other countries.

Variety Clubs

(*Continued from page* 1)

Philadelphia, pledged $100,000 each. Others are: No. 1, Pittsburgh, $50,000 minimum; No. 3, Cincinnati, $30,000 minimum; No. 4, St. Louis, $12,000; No. 6, Cleveland, $50,000; No. 7, Buffalo, $25,000; No. 9, Albany, $15,000; No. 10, Indianapolis $15,000; No. 11, Washington, $50,000; No. 15, Des Moines, $10,000; No. 16, Omaha, $12,500; No. 18, Dayton, $7,500; No. 19 Baltimore, $42,000; No. 20, Memphis, $5,000; No. 21, Atlanta, $85,000; No. 22, Oklahoma City, $30,000; No. 12, Boston, $75,000.

Each pledge was made as "Heart reports" were submitted for the "Heart Award,'" which is being judged by a three-man committee composed of Arthur Ungar, *Daily Variety*, chairman; Jay Emanuel, *The Exhibitor;* and this correspondent representing MOTION PICTURE DAILY and *Motion Picture Herald*. Announcement of the award will be made at the concluding banquet Saturday evening.

Work of the New England Tent in aiding the financing of a cancer research laboratory for children, declared the only one of its type in the country, was accorded emphatic enthusiasm by the delegates.

Dave Bershon, Southern California exhibitor, was so impressed that he made a personal donation of $5,000 to further laboratory experimentation on a possible cure for acute leukemia.

John H. Harris, "Big Boss" of Variety, wired his inability to attend and was given a round of applause when his telegram was read.

AA to Produce 'Bad Boy'; Deal With Wanger Off

MIAMI BEACH, April 15.—Allied Artists will produce and distribute "Bad Boy," a film based on the Texas Boys' Ranch in which Variety Clubs International will participate. A deal under which Walter Wanger, under his new Eagle-Lion affiliation, would produce the picture for distribution by Universal-International collapsed late last night.

First Full-Size Video in Baltimore

BALTIMORE, April 15.—Full-size screen television becomes an added regular attraction at Keith's Theatre here starting Saturday, first of its kind in Baltimore.

Audiences attending the first-run Keith's will, without extra charge, be admitted to a currently unoccupied ballroom atop the theatre where the television shows are to be presented.

DuMont Net for '47 Rises to $563,677

Allen B. DuMont Laboratories reports net income of $563,677 for 1947, after charges and taxes. This compares with a net loss of $1,472,270 for the year ended Dec. 29, 1946. Paramount holds approximately 29 per cent of DuMont stock.

Current assets were reported at $6,566,818 and liabilities at $2,494,599, compared with $5,118,744 and $1,107,387 respectively for the previous year.

Profit for Canada Circuit

OTTAWA, April 15.—Theatre Properties (Hamilton), Ltd., had a net of $118,253 for the 53 weeks ended Jan. 3, which was 23.5 per cent off from the previous year. Profit compared with $131,804 for 1946.

The Next Important Event . . .

In The 20th Century-Fox Showmanship Tradition That Is Making Boxoffice History Throughout The Industry!

THE 500-THEATRE NATION-WIDE WORLD PREMIERE WEEK OF MAY 10th!

THIS IS THE AD . . .

That Raises the Curtain on the Campaign!

All eyes are on the Iron Curtain...

THE MOST SENSATIONAL AND TIMELY SUBJECT EVER BROUGHT TO THE SCREEN!

TO SEE IT IS TO KNOW ITS STARTLING FACTS... the remarkable personal disclosures of Igor Gouzenko, former Code Clerk, USSR Embassy, Ottawa, Canada...the true headline revelations of the atom bomb spy plot that stunned the world.

TO SEE IT IS TO FEEL ITS LIVING DRAMA... made with the same force and vitality that brought acclaim to "The House On 92nd Street," "Boomerang!" and "Call Northside 777."

TO SEE IT IS TO SHARE A GREAT SCREEN EXPERIENCE ...made unforgettable by the star performances of Dana Andrews as Igor, Gene Tierney as Anna and a distinguished supporting cast.

DANA ANDREWS · GENE TIERNEY

THE IRON CURTAIN

with JUNE HAVOC
BERRY KROEGER · EDNA BEST

S I G N A T U R E

Directed by WILLIAM A. WELLMAN · Produced by SOL C. SIEGEL

20th CENTURY-FOX

starring

MARSHA **HUNT** WILLIAM **LUNDIGAN** CHARLES **WINNINGER** GAIL **PATRICK**

with GENE LOCKHART • FLORENCE BATES • HOBART CAVANAUGH
ALLEN JENKINS • ROSCOE KARNS • ROBERT SHAYNE

AUDIENCE!!!
The INSIDE STORY
Screen Play by Mary Loos and Richard Sale
Original Story by Ernest Lehman and Geza Herczeg
Directed by ALLAN DWAN
A REPUBLIC PICTURE

Reviews

"Shaggy"

(*Pine-Thomas-Paramount*)

IN this Pine-Thomas Cinecolor production, the attachment between a boy and an animal once more is featured. Children and dog-lovers, young and old, will rejoice, but others, with the possible exception of the super-sentimental, are likely to experience tedium because the story is much too stereotyped.

Every device used in the past to gain sympathy for boy and animal is in evidence. Neither director Robert Emmett Tansey nor author Maxwell Shane missed a trick in an attempt to pluck the heart strings. They work out the tale of a happy relationship between George Nokes, young star of the film, and Shaggy, threatened by the suspicion of being a sheep killer. Nokes' vindication of his faith in Shaggy provides the climax. William Pine and William Thomas contributed production values that transcend the modesty of the subject. Scenic locales are a real asset.

Running time, 72 minutes. General audience classification. Release date, June 11. P.E.L.

"Lightnin' in the Forest"

(*Republic*)

ELEMENTS of romantic comedy are mixed with gangster melodrama in a film of reasonable audience appeal. Modest name values include Lynne Roberts, Donald Barry and Warren Douglas.

The plot concerns a wild and impetuous young girl who is placed in the hands of a handsome psychiatrist to be cured of an excitement mania. The pair retreats to a country cabin, chaperoned by the caretaker and his wife, where the process of psychoanalysis unfolds in humorous manner. Naturally, a romance begins, only to be interrupted when gunmen take over the cabin as a hideout. Consequent gunplay and excitement is finally brought to an end when the psychiatrist proves his proficiency with his fists. While the story is not endowed with fresh imagination, it sustains adequate interest. Sidney Picker produced and George Blair directed. John K. Butler's screenplay was from a story by J. Benton Cheney.

Running time, 58 minutes. General audience classification. Release date, March 25. MANDEL HERBSTMAN

"Here Comes Trouble"

(*Hal Roach-United Artists*)

A 55-MINUTE subject presented by Hal Roach as part one of "Laff-Time," "Here Comes Trouble" is melodrama with an accent on slapstick. William Tracy is the central figure as a hesitating, faltering reporter who attempts to aid his publisher in tracking down blackmailers. Others are Joe Sawyer, detective, Beverly Loyd, the publisher's daughter, and Joan Woodbury, a dancer.

The publisher, campaigning to rid the town of racketeers, is blackmailed by the gang when a burlesque dancer is found murdered in her dressing room. The publisher, his daughter and the reporter are suspected of the crime. The police capture the real culprits backstage during a performance. Photographed in Cinecolor, the film was produced and directed by Fred Guiol. Hal Roach, Jr., was executive producer.

Running time, 55 minutes. General audience classification. Release date, not set.

"Angelina"

(*President Films—Italian*)

"ANGELINA" provides Anna Magnani, star of "Open City," with fair opportunities to run the gamut of emotion from deep despair to ribald gaiety. In this film the Italian star is the mother of a large family living in the slums of Rome. Outraged at the treatment she and her neighbors receive from wealthy landlords she organizes the women to take matters into their own hands. Eventually they get better housing. It was produced by Paolo Frasca for Lux-Oro Films, was directed by Luigi Zampa, and has English subtitles.

Running time, 90 minutes. Adult classification. Current release.

3 New Teaching Films

WASHINGTON, April 15.—Teaching Film Custodians, non-profit affiliate of the Motion Picture Association of America, will distribute to schools and educational groups three new teaching films produced by cooperation of the industry and textbook publishers. Project was coordinated by Arthur Mayer, New York exhibitor.

Stars at 'Arch' Benefit

Ingrid Bergman and Charles Boyer, co-stars of Enterprise's "Arch of Triumph," will attend the benefit premiere for American Overseas Aid for the United Nations Appeal for Children at the Globe Theatre here Monday evening.

Considering Film On Home Building

Washington, April 15.—The nation's home builders, apparently sold on motion pictures by "Mr. Blandings" publicity, are now considering a film telling the story of modern home building methods to the public. The project was discussed at length at a meeting of top officials of the National Association of Home Builders here.

Arthur Talks Go on

A new deal for the continued operation of St. Louis Amusement Co. by Harry Arthur, Jr., is still being negotiated, it has been reported here by George Skouras, who said he did not know how much longer the talks with Arthur would go on. Deal has been under discussion for eight months.

New Vermont Theatre

ST. JOHNSBURY, Vt., April 15. — Andrew Tegu, owner of Tegu's Palace Theatre, plans to erect a 650-seat house here this year at a cost of $100,000, to be completed by January 1, expiration date of Tegu's lease on the Gem.

New Drive-in for Lincoln

LINCOLN, Neb., April 15.—Articles of incorporation have been filed here by Starview Amusement Corp. to operate a new drive-in here. Incorporators are Sidney Schermer and Mannie Burdie of St. Louis.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CLEVELAND

"Alias a Gentleman" scored at Loew's Stillman and, "Beauty and the Beast" at the Lower Mall showed a strong box-office. Other takes over a fair-weather week-end hovered near average. Competition was average. Estimated receipts for the week ended April 13-14:

ALIAS A GENTLEMAN (M-G-M)—LOEW'S STILLMAN (1,900) (50c-70c). Gross: $12,000. (Average: $10,000)

APRIL SHOWERS (WB)—WARNERS' LAKE (714) (55c-70c) 2nd week, on a moveover. Gross: $3,200. (Average: $3,000)

BRIDE GOES WILD (M-G-M)—LOEW'S OHIO (1,268) (50c-70c) 3rd week. (Gross: $6,600. (Average: $6,600)

BEAUTY AND THE BEAST (Realart)—LOWER MALL (563) (50c-70c). Gross: $3,500. (Average: $2,500)

I REMEMBER MAMA (RKO Radio)—RKO ALLEN (3,000) (55c-70c) 2nd week. Gross: $14,500. (Average: $13,000)

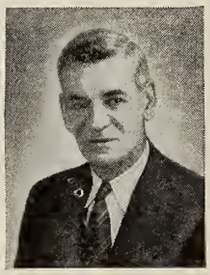
NAKED CITY (U-I)—LOEW'S STATE (3,300) (50c-70c) 2nd week. Gross: $17,500. (Average: $19,500)

RELENTLESS (Col.)—RKO PALACE (3,300) (55c-70c). Gross: $16,500. (Average: $15,500)

TO THE VICTOR (WB)—WARNERS' HIPPODROME (3,500) (55c-70c). Gross: $17,500. (Average: $18,250)

Vote Against Sunday Bill

STROMSBURG, Neb., April 15.—Citizens of this town voted 2-to-1 against a proposed ban on Sunday films brought up by the Citizens Party.



W. H. Crockett
Crockett—Pender Theatres, Virginia Beach, Virginia, says:

"WHAT ALTEC DOES PROTECTS OUR INVESTMENT AND OUR BOX OFFICE"

"The motion picture theatre must recognize the competitive entertainment being offered its patrons to-day. You must give patrons better theatres, better projection, better sound, better pictures, if we are to remain leaders of the entertainment field. Altec Service helps me do this in my theatres, so I recommend and thank them."

Altec Service, known for its service "over and above the contract" is a vital ingredient of your theatre's ability to meet successfully the competition of other forms of entertainment. An Altec Service contract is the soundest long term investment an exhibitor can make today.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63, NO. 75 | NEW YORK, U.S.A., MONDAY, APRIL 19, 1948 | TEN CENTS

Bob O'Donnell Again Heads Variety Clubs

Pledge $2,020,135 to Charity; On to Frisco

By RED KANN

MIAMI BEACH, April 18.—Robert J. O'Donnell was reelected international chief barker along with his entire slate, and the 31 active tents of Variety Clubs International pledged an aggregate $2,020,135 for charities in 1948 at the close of the business sessions of its 12th international convention here Friday.

Bob O'Donnell

San Francisco overwhelmingly was voted the convention city for next year, probably April 18 through 23, after Luis Montez yielded with the tacit understanding, at

(Continued on page 4)

MPF Cannot Aid Rogers Hospital Now

MIAMI BEACH, April 18.—Motion Picture Foundation will undertake no charitable enterprises until it has $5,000,000 in its treasury. This came to light at the closing sessions of Variety Clubs International convention here when S. H. Fabian made the statement in connection with efforts at persuading the Foundation to help the rocky financial structure of the Will

(Continued on page 4)

Recommends SAG Scales for Video

HOLLYWOOD, April 18.—Board of directors of the Screen Actors Guild joins with the Four-A talent guilds in recommending that actors do not accept work in television films for less than Guild minimum scales.

Wants U.S. to Give Way on Ticket Tax, Let Cities Move in

WASHINGTON, April 18.—Rep. Dorn of South Carolina has included in the Congressional Record a suggestion from E. H. Bowers, city clerk of Greenwood, S. C., that the Federal admission tax be reduced in order to clear the way for municipalities to levy a small excise on admissions.

Bowers suggested the Federal tax be cut to either one per cent on each 10 cents or 10 per cent on each 50-cent admission or more. The municipalities would levy a tax of one per cent, he estimated.

(Increasing attempts by state and municipal governments to levy admission taxes are seriously concerning

(Continued on page 4)

130% French Levy Threatens Dubbing

Efforts are being made within the French film industry to secure a tax of more than 130 per cent for dubbing of imported pictures, it was disclosed here at the weekend by William Satori, Monogram-Allied Artists Continental European representative, who is visiting here.

At present, Satori said, the French government levies no dubbing tax. He said it costs 1,500,000 francs ($5,000) to dub an American picture in French in that country. With a view toward making the French market more advantageous for French production, certain interests are seeking to have

(Continued on page 3)

Eyssell Names 14 to Scholarship Group

G. S. Eyssell, president and managing director of Radio City Music Hall here, and chairman of the motion picture industry's scholarship fund for Yeshiva University, New York, has named the following committee to assist in raising 50 scholarships:

Barney Balaban, Nate Blumberg, Jules W. Catsiff, Ned Depinet, Irving H. Greenfield, Monroe Greenthal, Dan Michalove, Charles Moskowitz, Charles D. Prutzman, Harold Rodner, Sam Rosen, Abe Schneider, George P. Skouras and George J. Schaefer, honorary chairman, who was chairman for 10 years.

Revivals Outdraw New Films in Canada

Ottawa, April 18.—Revivals in Canadian theatres have drawn such unexpectedly large crowds that some in the trade emphasize that the general run of films coming from Hollywood has been rather poor in the past year or so, with this factor more than anything else accounting for lower attendance in Canadian theatres, it is said.

FP-C Constructing 18 More Theatres

OTTAWA, April 18.—Now under construction are 18 additional theatres for Famous Players Canadian Corp., and it is expected that all will be operating before the year-end. In the past fiscal year the organization opened 10 new theatres.

The company reports that a substantial working capital which it has on hand will be sufficient to provide funds necessary for the construction of the new theatres, make improvements in existing theatres, and permit investments in other properties.

R. & R. To Build 8, Plus Four Drive-ins

DALLAS, April 18.—Robb and Rowley has on the boards blueprints for eight new theatres, four drive-ins and remodeling of six.

New theatres are contemplated for Dallas, Oak Cliff, Robstown, San Angelo, Taylor, Terrell, Magnolia and Malvern; drive-ins for Little Rock, Muskogee, Oak Cliff and Corpus Christie. To be remodeled: Grand Theatre, Mineral Wells; Majestic, Rotan; Mission, Sulphur Springs; Bison, Dallas; Texas, San Angelo, and Royal, Little Rock.

Delay MPAA Meet Again for UK Report

Motion Picture Association of America's board will "very likely" meet in New York on Thursday, the MPAA office said here at the weekend. Meeting has been twice postponed to permit conferees to complete elucidation of the recent British tax settlement agreement, including a formula for apportionment of remittances.

Jackson Park Decree Drops Rentals 33%

Sample of Court - Run Business Going Sour

CHICAGO, April 18.—The Jackson Park Theatre anti-trust decree, which continues to scramble the release system here to the bewilderment of industry veterans, has cost some distributors a loss of as much as 33 per cent of their local rental, informed sources estimate.

Basic cause, it is claimed, is the two-week limitation on Loop runs, an insufficient period for top product to earn its proportionate revenue from the city's most lucrative bookings. In addition, many outlying "A" houses decline to book pictures

(Continued on page 4)

Lawson Contempt Trial Nears End

WASHINGTON, April 18.—The John Howard Lawson contempt of Congress trial probably will go to the jury late tomorrow or Tuesday. Only possibility for further delay would be a favorable ruling by the court on a defense contention that the Hollywood hearings were not conducted by a lawfully-constituted sub-committee of the House of Representatives.

This last ditch effort by Lawson's attorneys to have the case thrown out of court occurred Friday after both

(Continued on page 4)

Ahlert Likely to Be Next Head of Ascap

Fred Ahlert, writer and long active in Ascap affairs, shapes up as the leading candidate for the presidency of the Society, with the annual meeting of the Ascap board of directors scheduled to elect new officers on Thursday.

An Ascap bylaw prohibiting a president from serving more than two successive terms makes Deems Taylor, incumbent president, ineligible for reelection.

S.R.O.'s DAVID O. SELZNICK'S DUEL in the SUN AT REGULAR PRICES S.R.O.

Personal Mention

HAROLD J. MIRISCH, Allied Artists vice-president, left Hollywood at the weekend for New York.

•

PHIL WILLIAMS, Associated Motion Picture Advertisers vice-president, will be in Albany, N. Y., today from New York to discuss "Public, Human and Community Relations in Motion Pictures" before the Variety Club of that city.

•

EDWARD L. WALTON, Republic assistant general sales manager, and division managers WALTER L. TITUS, JR. and JAMES V. O'GARA will return to New York today from field visits.

•

MAX E. YOUNGSTEIN, advertising-publicity director for Eagle-Lion, is captain of a softball team which will meet its first opponent next Monday at a Central Park diamond.

•

JESSE W. CHINICK of Intermountain Theatres booking and buying department at Salt Lake City has been promoted to booker and buyer for Northio Theatres, Cincinnati.

•

RODNEY BUSH, 20th Century-Fox exploitation manager, left here over the weekend for San Francisco, Seattle and Portland.

•

HAROLD POSTMAN, assistant to M-G-M exchange operations head ALAN F. CUMMINGS, will leave New York today for a Midwest trip.

•

HENRY GINSBERG, Paramount production head, is en route to New York from the Coast for semi-annual home office conferences.

•

HARRY M. KALMINE, Warner theatres president and general manager, will leave here tonight for Los Angeles with stopovers en route.

•

ART MOONEY, orchestra leader, was hospitalized for a ruptured ulcer just before opening a week's engagement at the RKO Albee in Cincinnati.

•

M. L. SIMONS, assistant to M-G-M exhibitor relations director H. M. RICHEY, is on a Canadian business trip.

•

TOM WALLER, MPAA publicity manager here, has been confined to his home with a cold.

•

LOUIS ASTOR, Columbia circuit sales executive, left here yesterday for a three-week Midwest tour.

•

HARRY MCWILLIAMS, Columbia exploitation manager, will return to New York today from Boston.

•

JAMES R. GRAINGER, Republic distribution head, is due back in New York Wednesday from Boston.

•

ROGER ALBRIGHT, MPAA educational director, will speak on May 20 at the Cleveland Film Council.

Tradewise . . .

By SHERWIN KANE

BRITISH officialdom's delayed moving for repeal of the 75 per cent *ad valorem* duty on imported films does not reflect dissatisfaction there with the settlement agreement they reached with Eric Johnston and James Mulvey more than a month ago, Peter Burnup, London editor of Quigley Publications, reports with confidence.

Repeal of the British tax was forecast first for immediately after the Easter recess of Parliament, which would have set the date near to April 1. It was estimated next that April 15 would be a more likely date for repeal. Now it's April 30.

London's explanation is that the intricate problems of legal drafting of the agreement are proving to be more time-consuming than had been anticipated, and that alone is responsible for the delay.

•

Meanwhile, elucidation of numerous points concerning application of the settlement agreement, points which have been raised by both American industry representatives and the British Board of Trade, are proving stumbling blocks in varying degree. Repeatedly encountered reports have it that the main outstanding difference of viewpoint between New York and London concerns the definition of a film covered by the new British quota laws.

Board of Trade officials are said to contend that pictures made in England with blocked American funds, and employing Hollywood technicians, are not covered by the quota. American industry officials take the opposite view, it is reported.

The issue is of obvious importance since the preferential treatment accorded British films by the quota would be withheld from the films made in Britain by Americans if the reported London viewpoint prevails.

• •

The dirges being sounded by certain exhibitor organizations which backed the Lewis Bill are exactly what was to be expected. All of a pattern, they are dismayingly unimaginative and display disregard for facts, even in describing the bill itself.

Proponents of the measure, to quote from the bulletin of one of them, claim: "The (Lewis) Bill would have eliminated Ascap's power to levy a seat tax on theatres and instead would have made the producers foot the bill."

The Lewis Bill contained no provision which would prevent producers-distributors from passing along to exhibitors whatever they, the producers-distributors, paid to Ascap. The House judiciary subcommittee which held hearings on the Bill was told by the producers-distributors that, if the Bill passed, they would not only pass the music taxes along to exhibitors but would be compelled to add to the music tax service and accounting charges.

If you wish to accept the argument of proponents of the bill that producers - distributors could succeed in bargaining for lower music taxes than exhibitors can obtain (which many, including Ascap, refuse to concede) then you should be prepared to see that advantage wiped out in service and accounting charges, leaving the exhibitor to pay ultimately as much or more for the music in his films as is the case now.

•

Many exhibitors never understood that under the Lewis Bill they would pay their music tax to the distributor instead of to Ascap. But many more did understand than did not. That is why it was successfully opposed. A hidden tax or a tax by any other name can be just as costly as the direct one.

Protagonists of the Lewis Bill, to a unit, ascribed Theatre Owners of America opposition to it to "affiliated circuit domination," the reasoning being that the affiliated circuits are tied up with music publishing members of Ascap and their parent companies want the present music tax rate structure continued in order to assure royalties from Ascap.

It probably never occurred to them that if there was any merit to that argument they would have found the producers-distributors enthusiastically behind them, or even out in front of them, rooting for the Lewis Bill. That measure would have entrusted to those "affiliated interests with Ascap connections" the duty of negotiating music tax rates which they would pass on to theatres.

What better way of assuring themselves healthy and continued royalties from Ascap than setting the license rates themselves?

Newsreel Parade

REVOLUTION in Bogota and election eve in Italy are newsreel highlights. Items of national and international significance as well as sports and human interest stories round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 31—Scenes of the Bogota revolution. Crucial election of Italy rouses world interest. Lou[illegible] monument honors memory of FDR. Cardinal Spellman makes appeal for Catholic Charities. Louis and Walcott sign for bout. Racing regatta.

NEWS OF THE DAY, No. 265—Revolt in Bogota. Britain honors memory of FDR. Cardinal Spellman asks aid for needy. Speed tests for new thunderjets. Heavyweight title bout set for June.

PARAMOUNT NEWS, No. 68—Bogota reign of terror. Fur fashions for men. Russian Supreme Council in session. England pays homage to FDR.

UNIVERSAL NEWS, No. 135—Crazed mobs riot in Bogota revolution. FDR memorial unveiled in London. Speedy thunderjets in maneuvers. "Are You With It?" premiere opens Security Loan drive in New York.

WARNER PATHE NEWS, No. 70—Election eve in Italy. Warfare in Greece. Harold Stassen wins in Nebraska. Stalin at Red congress. Bogota revolt. Britain honors FDR. Catholic Charities appeal. Great Americans: U. S. Grant.

Selznick Circus Film Set With Ringling's

John Ringling North, president of Ringling Brothers and Barnum and Bailey, and David O. Selznick have completed a deal whereby "The Greatest Show on Earth" will be made into a Technicolor film by Selznick, featuring the circus.

Production will start early in 1949. It will be made partially at the Sarasota, Florida, winter quarters of the circus and at Culver City. North will act as technical adviser with Selznick.

Attorney Questions Libel in 'Curtain'

New York attorney Sidney Schreiberg, retained in behalf of James S. Benning, Eric Adams and Dr. David Shugar, who were acquitted last year in the Canadian espionage case, has written to Spyros Skouras, president of 20th Century-Fox, producer of "The Iron Curtain," requesting a private screening of the production to determine whether his clients are libeled in the film.

Pre-Nuptial Fete

Ray Lanning and Ursula Connor of the *Motion Picture Herald* editorial staff, who will be married Thursday in Providence, R. I., were the guests of their *Herald* and MOTION PICTURE DAILY colleagues at a dinner here Friday night.

32 Drive-ins in Utah Area

SALT LAKE CITY, April 18.—Some 32 outdoor theatres are expected to be operating in this area. Open now are the Riverdale at Ogden, Autorium and Motor-Vu, Salt Lake, and the Boise, at Boise.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Loew's in Move to End Minority Suit

Loew's has proposed a settlement in the minority stockholders' suit brought against the company, present and former officers and directors and the People's Candy Co., over operation of Loew's theatre candy counters by the latter.

In answer to charges that unfavorable contracts were made with People's Candy, Loew's offered to revise the contracts, requiring the candy firm to pay Loew's subsidiaries approximately $161,000 additional for the year ended Dec. 31, 1947.

The plaintiffs further charged that the company should have deducted as a corporate expense for income tax purposes alleged profit made by Nicholas M. Schenck on the exercise of options on the company's stock and that the company should have recovered profits made by him in a stock sale. The company proposes that Schenck give it a one-year option to acquire from him 10,000 shares of present stock of the company at $13.33⅓ per share.

N. Y. Film Resources Enthuse Mamoulian

Natural resources of New York, the "greatest untapped source of exciting real-life background," has captured the enthusiasm of Rouben Mamoulian, now visiting here from Hollywood, and returning to the Coast on April 28.

Citing the reaction to Universal-International's "The Naked City," Mamoulian said that "there can be no argument about the great advantages of New York for certain types of stories, where you really want to capture the feel of city streets and life. Other types of stories can best be done in California."

He believes it is essential to have at least three to five days of uninterrupted rehearsal time for "over-all" reading and studying of a script before cameras start in order to hold retakes to a minimum.

Rubin, Mulvey Confer

Robert Rubin, attorney for the Society of Independent Motion Picture Producers, is in New York for conferences with James Mulvey, president of Samuel Goldwyn Productions, who has been representing SIMPP in the current talks here among U. S. companies' representatives on the dollar split-up of British remittances under the tax settlement agreement. Rubin will return to Hollywood on Wednesday to report to the SIMPP executive committee.

FILMACK special trailers steal the spotlight! That's why they're so popular with showmen every-where •
NEXT TIME ORDER FILMACK Special TRAILERS
THE BRIGHT SPOT OF ANY CAMPAIGN!
NEW YORK 245 WEST 55 STREET
FILMACK 1327 S. Wabash, Chicago
Los Angeles 1574 W. Washington St.

WB Bid for Chicago Television Station

Washington, April 18.—Warner Brothers has applied to the Federal Communications Commission for permission to build and operate a television station in Chicago. Balaban and Katz are already licensed there.

Warner executives here were unable on Friday to give details of the company's Chicago television move.

Pickwick's Owners File Mortgage Suit

C. E. Haring and Grenfield, Inc., owners of the Pickwick Theatre and building, at Greenwich, Conn., have filed an action in New York County Supreme Court against Guardian Life Insurance Co., holders of the first mortgage on the property, for an accounting of rentals collected by the defendant. Charles Raff, plaintiff's attorney, states that they maintain Guardian collected rents over a number of years enough to cover the $315,000 mortgage held, and therefore Haring and Grenfield are entitled to come into unmortgaged possession of the property. Plaintiff has made application for a temporary injunction against Guardian, returnable May 18.

For many years the Pickwick was involved in anti-trust and other litigations.

WB's Haines Holds District Meeting

Roy Haines, Warner's Western division sales manager, held a meeting of the company's Prairie district sales force over the weekend in St. Louis. Attending were Hall Walsh, district manager, and branch managers, D. P. Webster, Des Moines; R. C. Borg, Kansas City; F. J. Hannon, Omaha; Lester Bona, St. Louis.

National Release of 'Best Years' Is Set

Samuel Goldwyn's "The Best Years of Our Lives" will go into national release Thursday with its first popular-priced engagement at Boston's Astor Theatre. The film previously played 20 weeks at the Esquire and three at the Memorial in that city.

Writers Plan Film Forum

Associated Film Writers, representing film writers in the East, plans a series of forums dealing with educational, commercial and documentary films. Each forum will feature a representative panel and films will be shown and discussed.

'Round-Up' Set for June 16

SALT LAKE CITY, April 18.—Annual territorial exhibitor-distributor "Round-Up" of the local Motion Picture Club will be held here June 16-18. Giff Davidson is chairman.

Debrie Distributor in U.S.

Photographic Instrument, Inc., here has been named distributor for the new Andre Debrie film printers to be manufactured in this country by Reeves Instrument Corp.

FCC Approves AT&T Video Relay Chain

WASHINGTON, April 18. — Federal Communications Commission has granted authority to A. T. & T. to build two experimental micro-wave relay chains, one between Chicago and Milwaukee, the other between Detroit and Toledo, at a total cost of $1,400,000.

The relay system will be used for television transmission, among other things. Completion date is set for June 15, 1949.

The Commission also granted the application of A. T. & T. and certain Bell System associates for television terminal facilities in Detroit, Toledo, and Buffalo, linking these cities with wire or micro-wave network. Two coaxial units were authorized for Cleveland and Buffalo.

Fabian, Schine Seek Television Permits

ALBANY, Aprl 18. — Van Curler Broadcasting Co., of which Si Fabian is president, has applied to the Federal Communications Commission for one of four television channels available in the Albany-Troy-Schenectady area. Company was an unsuccessful bidder last year for the WOKO AM wave length. Eleanor Fabian Rosen is vice-president, Sam Rosen is treasurer, and Edward L. Fabian, secretary.

Patroon Broadcasting Co., Schine company, is one of three others applying for a television permit.

Film Problems Up At Television Meet

Solutions to problems posed by television's future relations with motion pictures will be discussed tomorrow at the third national Television Institute trade show, opening at the Hotel New Yorker today.

Among subjects on the film-television agenda will be film clearance for television, film exhibitions on networks versus individual stations, basis for figuring film rentals for telecasts, and other subjects.

FTC Checks Video Ads

WASHINGTON, April 18.—Television advertising, like that of other media, is being checked by the Federal Trade Commission for false, misleading and deceptive matter.

Canada Film Imports For Feb.: $238,000

OTTAWA, April 18.—Canada's film imports in February amounted to $238,000, compared with $221,000 for the same month last year. Total for the first two months of 1948 was $448,000, against $426,000 for the same period in the preceding year.

130% French Levy

(*Continued from page* 1)

the government adopt a dubbing tax of 2,000,000 francs ($7,000) per imported film, he said. Satori believes it would be difficult to have such a tax adopted in France at present, particularly in light of current attempts by the French government to secure increased film exhibition benefits under the Blum-Byrnes accord.

Rank Does the Honors

Eddie Rickenbacker, chairman of the board of sponsors of the World Council of Christian Education, will be honored by that organization at a luncheon here tomorrow at the Hotel Biltmore, with J. Arthur Rank, chairman of the British administrative committee of the organization, presenting him with a scroll for his service to the organization.

Rowland in Mexico

William Rowland will make "Medal of Honor" and "This Is My Brother" in Mexico for Southern California Pictures. He has left New York for Mexico to arrange for studio space. The director is expected to return to New York in several weeks before heading back to the Coast.

Mexican Film Bank Aid

MEXICO CITY, April 18. — Loans, credits and discounts totaling $2,813,756 were received by the Mexican film industry from its own bank, Banco Nacional Cinematografico, in the first quarter of the year.

'Union' to Goldman

PHILADELPHIA, April 18.—"State of the Union," which will have its premiere simultaneously in all 48 states, will open here at the Goldman Theatre on Wednesday, April 28.

RKO RADIO PICTURES, Inc.
TRADE SHOWINGS
PHILADELPHIA (RKO Projection Room) 250 NO. 13TH STREET
BERLIN EXPRESS 10:30 A.M.
DESIGN FOR DEATH 2:30 P.M.
DETROIT (Blumenthal Projection Room) 2310 CASS AVENUE
DESIGN FOR DEATH 10:30 A.M.
BERLIN EXPRESS 2:30 P.M.
THURSDAY, APRIL 22

Variety Clubs

(*Continued from page* 1)

least, that Tent No. 29, Mexico City, would be in the running importantly for 1950. Colonel William McCraw, executive director, was returned to his post for another year.

As reported earlier, the international officers refused to be satisfied with initial charity pledges for this year which would have resulted in a serious drop under 1947 and therefore whooped it up to fractionally above $2,000,000, which placed both years on approximate parity. In 1947, the 31 active tents raised and spent $1,232,540. Tent No. 8, Kansas City, and No. 14, Milwaukee, are inactive.

$7,500 for Rogers Hospital

Variety International agreed to advance the Will Rogers Memorial Hospital up to $7,500 without obligation on the part of local tents to reimburse the treasury. S. Fabian urged Variety to match the producers who are prepared to finance the Saranac Lake institution up to $75,000. This was vetoed largely on the disinclination of the various tents to embark upon financial support of projects not in their own geographic areas.

Terms of the participation deal for "Bad Boy," which Allied Artists will produce, provide Variety 10 per cent of the profits and $15,000 for construction of a swimming pool at the Texas Boys Ranch, pet project of Tent No. 17, Dallas.

It also developed Variety has ambitions about spreading into the Latin-American countries and that Havana may be the first new tent in this direction.

O'Donnell's Executive Staff

Serving with O'Donnell as officers will be Carter Barron, Washington, as first assistant international chief barker; C. J. Latta, Albany, second assistant international chief barker; Jack Berensin, Philadelphia, property master; Marc Wolf, Indianapolis, dough guy; W. H. Lollier, Los Angeles, proposed and then was appointed the first international bouncer (sergeant-at-arms). Nathan Golden, Washington, succeeded J. A. Maloney, Pittsburgh, as Heart committee chairman. Ropsey Tosewell was appointed chairman of the Humanitarian Award committee, and Charles E. Lewis was renamed international convention chairman and publicity director.

Named to the international committee were J.J. Fitzgibbons, Toronto; George Hoover, Miami; Luiz Montez, Mexico City; John H. Harris, Pittsburgh, and O'Donnell who, in acknowledging his reelection—never in doubt for him or his accompanying slate—admitted he wanted the post for another year yet urged adoption of a rotating plan for international chief barkers at San Francisco.

Int'l Representatives Named

The following were appointed international representatives: Murray Weiss, Boston, New Haven, Buffalo, Albany; William O'Donnell for Dallas, Omaha, Minneapolis, Kansas City; Jack Berensin for Washington, Philadelphia, Baltimore, Cleveland; Allen Moritz for Cincinnati, Columbus, Dayton, Toledo; Ralph Talbot for Oklahoma City, Des Moines; James G. Balmer for Pittsburgh; H. H. Everett for Atlanta, Memphis, Charlotte, Miami; Irving Mack for Chicago, St. Louis, Detroit, Grand Rapids, Indianapolis; Charles P. Skouras for Los Angeles, San Francisco, Seattle.

Tent No. 23, Boston, was awarded the 1947 Charity citation award, annual competition among the tents for the outstanding charitable endeavor of the year. Boston was selected for substantially aiding the establishment of a cancer research clinic for children, out of which already has developed laboratory treatment alleged to suggest a cure for acute leukemia. Tent No. 28, Toronto, was given honorable mention for already completed plans to build and maintain "Variety Village," a vocational guidance school for crippled children. The decision, made unanimously by Arthur Ungar, Jay Emanuel and this correspondent, was sealed and first divulged at the concluding banquet Saturday evening where Harold Stassen was chief guest and principal speaker.

Barkers and delegates began to abandon Miami beginning early Sunday and jammed all Northern trains and planes throughout the day and evening.

Review

"Antoine and Antoinette"

(*Siritzky International*)

WITH French dialogue and English subtitles, this winner of the Grand Prize at the Cannes Festival is a charming picture in the best tradition of the French. Attention to detail is minute and the story is comparatively simple. The picture portrays with clarity a cross-section of French workingmen, their characters and sense of humor. Performances by Roger Pigaut and beautiful Claire Maffei are excellent and a good deal of credit must go to Jacques Becker who kept the continuity flowing crisply.

Pigaut is jealous of his wife and villain Noel Roquevert. He had a winning ticket in a lottery, but lost his wallet. As his world seems about to cave in—and after he disposes of Roquevert—Pigaut discovers that the ticket was not in the wallet at all.

Running time, 88 minutes. Adult audience classification. Current release.

Lawson Trial

(*Continued from page* 1)

sides had concluded their arguments. Ben Margolis received permission to reopen the case in order to serve a fresh subpoena to the clerk of the House and committee investigator Robert Stripling, ordering them to produce committee records and reports from Jan. 1, 1947, to Oct. 27, the day Lawson testified at the hearings.

Earlier in the day Justice Edward M. Curran quashed a similar subpoena for all records since the formation of the committee in 1938. Margolis declared that he believes examination of the records would reveal the illegality of the sub-committee.

Martin Popper, Washington member of the defense staff, explained to the court that the Congressional Reorganization Act of 1946 requires all action of standing committees to be recorded. Therefore, he said, if chairman J. Parnell Thomas had been properly authorized to name a subcommittee, it would appear in the records. Popper pointed out that authorization to do this could be given only by a majority of the full committee "physically present" at a meeting.

Following a motion to quash this subpoena by Assistant U. S. Attorney William Hitz, Curran ordered both sides to prepare briefs for presentation when the trial reopens tomorrow.

This was the first concession obtained by the defense from Curran, who had previously overruled every motion made in Lawson's behalf.

Jackson Park

(*Continued from page* 1)

which have played smaller neighborhood houses ahead of them by virtue of the new decree system.

An "A" house may not be able, because of prior bookings, to date a picture after its two weeks in the Loop. The picture then will be available to a smaller neighborhood house and the larger "A" houses will bypass it when they have an open date because of the prior neighborhood booking.

However, outlying houses in some cases have raised admission prices because of the earlier availability to them of pictures.

Woods, Oriental Benefit

Because the Jackson Park decree does not apply to non-defendants in the anti-trust suit which gave rise to it, Essaness Circuit's Woods and Oriental in the Loop are not subject to the two-week run limitation. They are, therefore, the prime market objective here today for major product bookings. They can play a picture indefinitely, as all theatres could in the pre-decree years.

M-G-M has obtained an important measure of the Woods-Oriental playing time of late. "Cass Timberlane" is in its sixth week at the Woods, and "State of the Union" is slated to follow it. Metro has booked some of its top product into the Oriental, too, while more of Leo's releases have gone into another independent Loop house, unaffected by the decree, the 1,000-seat Monroe, owned by James Jovan. The situation has permitted the Monroe, a former subsequent-run house, to switch to a first run policy.

Reissues at B. and K. Houses

Balaban and Katz Loop houses, subject to the decree, on the other hand are feeling its effects. The Roosevelt and United Artists, former Loop first runs, have found it impossible to get new pictures on some occasions and have been forced to play reissues. The Garrick experimented with third run double features at reduced admissions recently. Results were not encouraging and it is now endeavoring to re-establish its former first-run policy.

Virtually all segments of the trade here concede either openly or privately that the decree is impractical and unreasonable, and in practice is at least equally as discriminatory as any condition which the Jackson Park suit sought to correct, having done no more than substitute new inequities for any which may have existed before. It is generally felt that considerable revision of the decree is necessary.

2 More Legislatures Adjourn; No Damage

WASHINGTON, April 18.—Mississippi and South Carolina legislatures have adjourned "with no damage to the industry," according to Jack Bryson, Motion Picture Association of America legislative representative. In Mississippi theatres won the right to Sunday shows between one and six p.m.

Legislatures are still in session in New Jersey, Michigan, Massachusetts and Rhode Island.

Theatre Code for N. Y. in Midsummer

ALBANY, N. Y., April 18.—Promulgation of a new code for places of public assembly probably will not be made until mid-summer. A spokesman of the Board of Standards and Appeals of the State Labor Department said the board is holding three meetings weekly to consider the code.

Changes will affect new and old theatres, summer theatres, drive-ins and legitimate houses.

Ticket Tax

(*Continued from page* 1)

exhibitors throughout the country. Some exhibitor organizations recently have posed the question whether efforts to reduce the Federal admission tax should not be abandoned on the theory that success of such efforts would open the doors to a flood of local taxes.—*Ed. Note*)

TOA Backs Aid Fund For Razed Wyo. City

Theatres in the Rocky Mountain states are conducting a campaign to raise $50,000 for loans to residents of Laramie, Wyo., who lost homes and business establishments in a $2,000,000 fire there recently. Theatre Owners of America is aiding the campaign.

Eagle-Lion's "The Noose Hangs High" has been procured for a benefit show at the Laramie Auditorium on Wednesday, with tickets priced at $10 and up. Efforts are being made to obtain a personal appearance of the picture's stars, Bud Abbott and Lou Costello, as well as other screen and radio personalities. Gamble has requested all TOA-affiliated theatres in Wyoming and neighboring states to cooperate in the program.

Associates' Dinner To Aid Rogers Fund

The Will Rogers Memorial Hospital fund will receive a percentage of profits from the annual dinner of Motion Picture Associates to be held at the Waldorf-Astoria Hotel on May 21, Arthur L. Mayer, president, announces. Proceeds from the journal to be issued will also go to the hospital.

MPF Can't Aid Now

(*Continued from page* 1)

Rogers Memorial Hospital at Saranac Lake, N. Y.

Fabian also revealed that Morton G. Thalhimer, president of Neighborhood Theatres, Richmond, Va., and prominent circuit operator, is personally trying to raise funds among exhibitors to keep the tubercular hospital afloat.

DO NOT REMOVE

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 76 NEW YORK, U.S.A., TUESDAY, APRIL 20, 1948 TEN CENTS

Levy Warns of Problems of Video Pickups

Exhibitors Advised to Learn Restrictions

Exhibitors must not go on feeling that television is free for them to pick up to show to their audiences, advises Herman M. Levy, general counsel of the Theatre Owners of America, in a special bulletin issued by the TOA here.

It would be well for an exhibitor "to become fully informed before making any substantial excursions into the field of television in his theatre," Levy warns.

"Where the material being televised is copyrighted it seems clear, in the law, that the theatre owner may not use that material in his theatre with-

(*Continued on page 3*)

DuMont Video Web Open To Theatres

DuMont Television network will be willing to permit theatres to pick up its programs "providing they pay for them," Dr. Allen B. DuMont, DuMont Laboratories president, said here yesterday following his address as honor guest at the initial day's luncheon session of the third annual Television Institute being held tomorrow at the Hotel New Yorker.

DuMont said he does not envision any massive legal obstacles to theatre television.

Dr. V. W. Zworykin of RCA said

(*Continued on page 3*)

Floods Fail to Move Diehard Kentuckians

Louisville, April 19.—Reports reaching here from the town of Hickman indicate that it would take more than a flood to run residents out of a theatre. After a heavy downpour, water flowed into the Hickman Theatre, reaching from the stage to a point some 20 rows back. The motion picture "Susie Steps Out" was on the screen. But no one stepped out.

Stassen Is Against Federal Censorship

Miami Beach, April 19.—Presidential candidate Harold E. Stassen is opposed to Federal censorship of motion pictures, he told the concluding banquet of Variety Intertional's convention here on Saturday night.

The 1949 convention dates have been set for May 2-7, to be held in San Francisco, as previously reported.

N. Y. 1st Runs Satisfactory

Grosses are moderately good this week at Broadway's first-runs generally. Holdovers predominate.

Still performing impressively is "The Naked City," with Tex Beneke's band on stage at the Capitol, where a solid $70,000 is expected for a seventh week. Sixth and final week for "I Remember Mama," plus a springtime stage presentation, looks like a firm $110,000 for Radio City Music Hall on the basis of $74,000 grossed Thursday through Sunday; "State of the Union" will move into the Hall on Thursday.

Business in on the upgrade for two holdovers: "Mr. Blandings Builds His Dream House," heading for $34,-

(*Continued on page 6*)

TOA Will Protest Daylight Saving

WASHINGTON, April 19.—Theatre Owners of America tomorrow will tell a Congressional committee that they oppose a bill for nationwide daylight saving time "for purely personal reasons—because it hurts our business."

Testifying for the TOA before a Senate Interstate Commerce sub-committee, A. Julian Brylawski will declare that theatre owners went along with compulsory daylight saving during the war as a patriotic gesture, but that no such patriotic reason now ex-

(*Continued on page 3*)

Increases for 350 at Para. N. Y. Office

Salary increases of $5 to $10 have been granted to 350 Paramount home office employes in an arbitration award, the Screen Office and Professional Employes Guild reported here yesterday. The increases are retroactive to Sept. 27, 1947.

$750,000 to WB in 1947 from Ascap, Society Tells Court

The extent of profits derived from Ascap royalties in 1947 by major producers and distributors with music subsidiaries was disclosed yesterday when counsel for the society filed proposed findings of fact and conclusions of law with the U. S. District Court here in the anti-trust action brought by Alden-Rochelle, Inc., and 160 other members of the Independent Theatre Owners Association of New York.

Warners, with four music subsidiaries, led the list with approximately $750,000. Then followed M-G-M, whose three subsidiaries received approximately $514,000 in royalties. Paramount, through one music publishing subsidiary, got approximately $30,000. At the bottom of the list was 20th-Fox, with one subsidiary receiving $7,600 for the year.

In presenting the proposed findings, Louis Frohlich, Ascap counsel, pointed out that of 303 publisher-members of Ascap there are 14 publishers which are identified with the four majors. The court was further told that Herman Starr, president of Music Publishers Holding Corp., which is owned by Warners, and Abe Olman, general manager of the Robbins

(*Continued on page 3*)

Ascap-Stage Show Tax Talks Continue

Representatives of stage show theatres met with Ascap officials at the music society's headquarters here yesterday to resume discussions of Ascap's proposed $1.25 per seat annual music tax for theatres using "live" music. Discussions were reported to have been of a general nature and were adjourned to an undesignated date without any decisions having been made. The stage show theatres contend Ascap's proposed rates are discriminatory and argue that they are entitled to the same music tax rates as other film theatres.

Odeon Theatres Has 10 New Houses in Work

OTTAWA, April 19. — Odeon Theatres' theatre-building program provides for a total of 19 theatres. Five were completed in 1947, four more have been opened since Jan. 1, 1948, and 10 now under construction will be ready this season.

Lawson Guilty Of Contempt, Jury Decides

To Seek New Hearing; Trial of Trumbo Is Set

WASHINGTON, April 19.—Screen writer John Howard Lawson today was found guilty of contempt of Congress for refusing to tell the House Un-American Activities Committee whether or not he is or ever was a member of the Communist Party.

Lawson is one of 10 Hollywood writers, directors and producers indicted on similar charges following their appearance last fall before the committee hearings on Communist infiltration into the motion picture industry.

The jury deliberated two and one-half hours before returning the verdict. Lawson faces a maximum sentence of one year in prison and a fine of $1,000.

Justice Edward M. Curran permitted the 53-year-old writer to remain

(*Continued on page 3*)

DeMille Loses AFRA Supreme Court Fight

WASHINGTON, April 19.—The Supreme Court today in effect upheld the right of the American Federation of Radio Artists to suspend producer Cecil B. DeMille for his refusal to pay a $1 special assessment in 1944. The court refused to review a lower court ruling in favor of AFRA.

DeMille refused to pay the assessment because it was to be used to finance a campaign against an anti-closed shop amendment proposed for

(*Continued on page 3*)

U.S. Thanks Industry For Aid to Drive

Washington, April 19.—Secretary of the Treasury Snyder, on behalf of the President and the Treasury, today thanked the motion picture industry and theatres for their support in the Treasury's Security Loan Drive. Snyder said their "accomplishments in bringing the Security Loan message to patrons have been invaluable" in the campaign.

Majors' Assets Are Unfrozen in Egypt

By JACQUES PASCAL

CAIRO, April 15 (By Air Mail).—J. Healy, Near East manager of the Motion Picture Association of America, has persuaded the Egyptian government to release part of the U. S. major film companies' assets, which have been blocked since July 15, 1947.

Agreement provides for the transfer of 35 per cent of the blocked assets accumulated between April 27 and Dec. 31, 1947, and stipulates that all billings from the first of this year may be transferred either in dollars or sterling on a ratio of 35 per cent in dollars and 25 per cent in sterling for a total of 60 per cent of gross billings.

Companies have the option to accept or refuse the transfer in sterling. Should Egypt conclude a commercial agreement with the U. S. or in case the U. S. Government offers to buy Egyptian long-staple cotton, the unblocked percentage may be raised even to the extent of the previous ratio ruling before July 15, 1947, as provided by a special clause.

UA Closes in Egypt, Palestine

CAIRO, April 15 (By Air Mail).—United Artists Corp. of Egypt has closed its Egypt and Palestine branches. Distribution in these territories of UA product is now handled by two local companies: Ideal Motion Pictures, Egypt, and Middle East Film Distributors, Palestine.

Capra Honored at Music Hall Party

Frank Capra, producer of "State of the Union," which opens at Radio City Music Hall here on Thursday, was guest of honor at a cocktail party given by Gus Eyssell, president and managing director of the Music Hall, in the theatre's studio apartment yesterday. In addition to trade press, newspaper and magazine representatives, guests included Mrs. Capra, William F. Rodgers, Si Seadler, Edward Aaron, Edwin Saunders, Russell Downing, Fred Lynch and Ernest Emerling.

Celebration Thursday For 'IA' State Unit

Some 200 IATSE representatives will gather at the Hotel St. George, Brooklyn, on Thursday evening for the bi-annual dinner of the "IA's" 10th District (New York State). "IA" international president Richard F. Walsh will preside.

The dinner will mark the 60th anniversary of "IA" Local No. 4, Brooklyn, of which Walsh is also president.

'IA' Members May Join Legion Post

War veteran IATSE members in the Metropolitan New York area, including New Jersey, are eligible for membership in American Legion Film Post No. 1292 of projectionists Local 306. New club rooms are being opened in the Adler Building, 249 West 42nd Street, New York City.

Personal Mention

J. ARTHUR RANK and MRS. RANK will sail for England Thursday on the *S.S. Queen Mary* after a six-week visit in this country.

•

MILTON LIVINGSTON, Universal-International trade press contract here, has been named editor of the Motion Picture Associates' *Yearbook*, which will serve as a tribute to the Will Rogers Memorial Fund.

•

PEGGY BLEAKLEY, story editor for William Cagney Productions here, and FRANK J. O'BRIEN of M-G-M's special services department, will be married next fall.

•

HARRY F. SHAW, division manager of Loew's Poli New England theatres, and MRS. SHAW are due to leave New Haven Friday for a trip to South America.

•

CLYDE MARSHALL, owner of the Columbian Theatre, Columbia, Ky., has returned to that city from a tour of the West and Mexico.

•

EMANUEL FRISCH, Randforce Circuit treasurer, and MRS. FRISCH are the parents of a son born at Brooklyn Jewish Hospital.

•

PAUL BRODER, Realart president, and JACK BRODER, vice-president, have left here for a series of board meetings in Detroit.

•

HENRY GINSBERG, Paramount production executive, will return to Hollywood from New York at the weekend.

•

ERIC JOHNSTON, MPAA president, will speak on educational films Sunday over Station WTOP, Washington.

•

FRANK A. RILEY, director of book activities for Walt Disney Productions, is in New York from the Coast.

•

CHARLES WELLS of the Falls City Theatre Equipment Co., Louisville, has returned to that city from Detroit.

•

GEORGE MANN, owner of the Redwood Circuit, San Francisco, has returned to that city from Bermuda.

•

CARL BAILEY, owner of the Pawnee Theatre, Pawnee City, Neb., is recuperating from an operation.

•

SYLVESTER GROVE and HERB NADEL are vacationing at Hot Springs, Ark, from Louisville.

TOM CONNORS, SI FABIAN, MAX A. COHEN and GEORGE F. DEMBOW were among those who returned here yesterday from the Variety Clubs International convention at Miami Beach.

•

MRS. HENRY LAZARUS, who operates the circuit of "C" Theatres in Louisiana and Texas, has left New Orleans for a vacation in Cuba and South America.

•

J. E. HOLOHAN and JACK J. SCHNITZER, RKO Radio home office representatives, are spending several weeks in Cleveland from New York.

•

JOHN DENMAN has become city manager of Fox Theatres in Pocatello, Idaho, succeeding BOB ANDERSON, transferred to Montana.

•

BILL SHIELDS, Selznick Releasing Organization branch manager in New Orleans, has returned to his post after a trip in his territory.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, will leave New York today for Atlanta.

•

MRS. VIRGINIA CROLLEY has purchased and reopened the Morris Theatre at Douglas Airport, suburb of Charlotte.

•

BOB MCNEIL, Redwood Theatres executive, has returned to San Francisco from South America.

•

MITCHEL LITTLE, Columbia booker in Charlotte, will be married in May to LOUISE WILLIAMSON.

•

HARRIET PARSONS, RKO Radio producer, has left New York for Detroit and Hollywood.

•

J. T. KENNEDY, JR., Winchester, Ky., has bought the Stanton Theatre at Stanton, Ky.

•

IKE and HARRY KATZ, Kay Film Exchanges, have returned to Atlanta from Miami.

•

R. L. MOODY has started construction on a new 400-car drive-in near Valdosta, Ga.

•

WALTER HAGEDONE, owner of the Rialto, Cozad, Neb., has been elected mayor.

•

WILLIAM H. HYLAN has joined the CBS Television sales staff here.

$20,000 to Charity By Associates in '47

Report made to the board of Motion Picture Associates here by Saul Trauner, treasurer, discloses disbursements made for relief and charitable purposes during 1947 totaled approximately $20,000. Most of the funds were allotted to individual relief cases in the industry.

The Will Rogers Memorial Hospital at Saranac Lake, N. Y., was a recipient of MPA funds during the year.

Hold Final Talks on Deal for NY Rialto

Deal for the transfer of the Rialto Theatre here from Arthur Mayer and associates to James J. Mage, foreign film distributor and owner of the Laffmovie Circuit, was scheduled to have been closed yesterday. Mage and Mayer conferred until a late hour on final details.

Deal is understood to call for Mage's payment of approximately $320,000 for Mayer's lease, which has 7½ years to run.

Youngstein Outlines AMPA '48-'49 Plans

Eagle-Lion advertising-publicity vice-president Max E. Youngstein, who was elected president of Associated Motion Picture Advertisers recently, told a weekend meeting of AMPA past presidents, new officers and committee members that he will devote his 1948-49 administration to a campaign for better industry public relations, securing greater AMPA membership, and increasing MPA relief fund appropriations.

Mississippi House Burns

YAZOO CITY, Miss., April 19.—The Yazoo Theatre of this town was destroyed by fire.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
IRENE DUNNE in GEORGE STEVENS' Prod. of
"I REMEMBER MAMA"
Barbara BEL GEDDES · Oscar HOMOLKA · Philip DORN
Produced by HARRIET PARSONS
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS. • GEORGE KIRBY
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

RUSSELL JANNEY'S "THE MIRACLE OF THE BELLS"
starring FRED MACMURRAY
Valli
FRANK SINATRA
Released by RKO RADIO PICTURES
RIVOLI B'way at 49th St.

BETTE DAVIS
"IN WARNER BROS' NEW SUCCESS
WINTER MEETING"
with JANIS PAIGE • JAMES DAVIS
PRODUCED BY BRETAIGNE WINDUST • DIRECTED BY HENRY BLANKE
WARNER THEATRE
B'way 51st • Opens 10:30 AM • Late Midnight Film

DENNIS MORGAN
VIVECA LINDFORS
"TO THE VICTOR"
IN PERSON CAB CALLOWAY AND HIS MUSICAL JUBILEE
PLUS DEEP RIVER BOYS
Extra PEARL BAILEY
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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WB-Ascap

(*Continued from page* 1)

Music Corp., an M-G-M subsidiary, were on the Ascap board.

The society reminded the court that "up to the present time none of the plaintiffs nor any other motion picture exhibitor has ever requested of an individual Ascap member the right to publicly perform for profit any of his or her compositions in any motion picture theatre, although such members have stood ready, able and willing to grant such licenses," adding that "apparently plaintiffs and other motion picture exhibitors feel that it is more economical, expedient and practical to take from Ascap a blanket license, with the right to publicly perform any or all compositions in Ascap's repertoire in their theatres."

The society argued that the plaintiffs "are estopped from maintaining this suit by reason of the fact that they themselves directly participated with Ascap as far back as 1934 in negotiating and bargaining for the rates which have been existence for over 14 years and expressed approval of such rates."

Recall Brandt Acceptance

Harry Brandt, head of the ITOA, was quoted as telling the press at that time: "We consider this a fair and constructive solution of a vexing question. We feel that we have been fairly treated by and that we are fairly treating Ascap."

Ascap counsel informed the court that 53 Brandt houses, the majority of which are involved in the suit, "have with few exceptions operated profitably and successfully since 1939." Net profits since then were given as $2,583,873. The Mayfair, ace Brandt house, was cited as taking in approximately $1,600,000 from May, 1947, to the end of the year.

"The Brandt circuit," the court was further told, "is a dominating force in the New York metropolitan area and is able to exert pressure on the distributors to obtain pictures at more favorable terms than the individual theatres in the Brandt circuit would each obtain, were they acting alone, and it thereby has eliminated competition, and has been able to enlarge its monopoly."

Brandt was accused of providing his theatres with product by methods "condemned as being in restraint of trade, and is in restraint of trade."

Ascap Called 'Beneficial'

Ascap was defended as "a beneficial organization serving a useful purpose to the entertainment industries and not operating in restraint of trade. The society was held not to be engaged in interstate commerce. It denied license fees paid to it by the plaintiffs damaged them.

In filing findings of fact and conclusions of law in behalf of the plaintiffs yesterday, Milton C. Weisman asked the court to restrain the society from obtaining the right of public performance for profit of any musical compositions used for films, from suing plaintiffs for infringement and from refusing to grant producers the right to use for profit any musical piece. The court was also urged to have Ascap divest itself of all rights of public performance for profit of music in films.

In a post-trial memorandum filed with the court, Weisman charged that the society had obtained a "stranglehold" in the plaintiffs' business by suppressing competition and monopolizing performing rights to musical compositions. The memorandum asserted that the plaintiffs "were compelled to pay Ascap, in the guise of license fees, in order to stay in business."

Decision is expected late next month.

Lawson Guilty

(*Continued from page* 1)

free under bond of $10,000 pending the filing of a motion for a new trial. This must be done within five days, and the motion ruled upon within 10.

Should the motion be denied, as is expected, chief defense counsel Robert W. Kenny will appeal the conviction, to the U. S. Court of Appeals, he told newsmen.

The trial of the second defendant, writer Dalton Trumbo, is scheduled to begin next Monday. Trumbo is also charged with failing to respond to the question, "Are you now or have you ever been a member of the Screen Writers Guild?"

Judge's Charge to Jury

In his charge to the jury, Justice Curran declared that the issue to be determined was whether or not Lawson had "wilfully" refused to reply to the committee's question. Curran explained that "wilfully" means "deliberately and intentionally." Curran emphasized that a reply must be "responsive" to the question, not merely an answer of some kind.

He instructed the jurors that if, on the other hand, they concluded that Lawson was "attempting to answer, but was not allowed to answer," then they must return a verdict of "not guilty."

Curran declared that, as a matter of law, the House Committee on Un-American Activities, was validly constituted, that the sub-committee conducting the investigation of Hollywood Communist activity was also legally formed, that it was authorized to conduct the inquiry, and that the question asked of Lawson as to his membership in the Communist Party was pertinent.

Defense counsel took exception to the judge's charge immediately after the jury retired.

Defense Emphasizes 'Rights'

Chief defense counsel Robert W. Kenny, in a plea lasting one hour-and-a-half before the jury, seeking to find the scenarist not guilty, stated that the case was the "most important case to reach an American jury in the last 50 years."

Asserting that the verdict would be a "landmark in the old fight of private citizen vs. public official," Kenny said, "You must decide whether Lawson was in contempt of Congress or Congressman Thomas was in contempt of the rights of the American people."

Assistant U. S. Attorney William Hitz confined his summation and his rebuttal to Kenny to emphasizing the single issue of refusal to reply to a properly authorized question. He declared that Lawson was required to give an "intelligible" answer and that the record did not show such an answer had been given.

Doorman Finds $510, Gets 25c Reward

Ottawa, April 19. — Bill Todd, doorman of the Regent Theatre here, knows that honesty pays, but its rewards in actual cash are sometimes small. He found a wallet containing $510 in the lobby of the theatre, and returned it to its owner. She rewarded him with 25 cents.

Daylight Saving

(*Continued from page* 1)

ists. Theatre owners in rural communities are unanimously against the bill, Brylawski believes, as well as drive-in owners, who will also be hard hit.

TOA counsel Herman Levy was originally scheduled to appear with Brylawski, but a legal case will prevent him from coming to Washington, Brylawski said.

Capital DST Nearer

WASHINGTON, April 19.—Daylight saving time for the District of Columbia moved a step nearer today when the House District Committee reported out a Senate-approved bill giving the District Commissioners power to order the extra hour of daylight. Early approval by the House is expected.

Senate Group Adds To Radio Budget

WASHINGTON, April 19. — Senate appropriations sub-committee has recommended that the State Department's Overseas Information program get $29,000,000 during the coming fiscal year. This is $1,000,000 more than was voted by the House but still $5,378,000 less than was asked by the President. The Senate group stipulated that the $1,000,000 above the House total go entirely for the broadcast program.

The Motion Picture Division was allotted $4,878,749 in the President's original budget, and the Congressional cuts in the over-all budget will require cuts in the film program.

DuMont Video Web

(*Continued from page* 1)

his company is continuing its research in large-screen theatre video. Other speakers were Dr. A. N. Goldsmith and Lee DeForest. The latter predicted that color television would become a commercial reality in three or four years.

It is understood that Paramount is purchasing more television cameras and transmission equipment for use in other cities following its installation at the Paramount theatre here. And 20th Century-Fox is said to be seriously considering production for television other than the daily newsreel which it now issues for video.

DeMille Loses

(*Continued from page* 1)

the California State Constitution. He personally favored the amendment. The union then expelled him, and since it had an industry-wide union shop contract, DeMille was forced to give up his radio show. He brought suit to enjoin AFRA from expelling him, but lost in the lower courts, and today lost out in the Supreme Court. Now carrying his fight to Congress, DeMille is scheduled to testify before the House labor committee on May 11.

Video Pickups

(*Continued from page* 1)

out a license from the copyright owner," Levy declares, adding:

"It would also seem that televising uncopyrighted works, without a license, would be an infringement. The owner of such a work is declared to have a common law right in his work. He is protected by the law, without a copyright, even though there may have already been a performance of his work.

"As to 'news events', however," says Levy, "there is no property right. Such televised material may be shown in theatres without infringement, provided, however, that no music, drama, etc., is contained in the television. . . .

"In connection with this freedom to use a 'news' event it is important to determine just what a 'news' event is. For example, suppose it is assumed that the law will consider the next Louis-Wolcott fight a 'news' event: it is going to be telecast from a private, restricted place. An admission will be charged, and for the event exclusive telecasting rights will probably be given (sold) to a broadcasting station and to an advertising sponsor. The promoter of the fight is deemed in the law to have the exclusive right to broadcast from the restricted area. The problem, then, is this: is the theatre that shows the telecast to its patrons indulging in 'unfair competition' by so doing? This is the most important question to be answered and may have to be determined by the courts," he maintains.

"There is also involved the problem of 'civil rights'. Certain states have laws under which a person has the power to prevent the use of his name and photograph from being used for commercial purposes, without consent. It is felt by some that this power exists even in states where there is no statute. 'News' events would probably be excluded from the strictures of this law. It may very well be that when performers in a telecast give their consent to the use of their names, faces, etc., they impliedly consent to the general use thereof by theatres, and others. However, how about those other than the performers, e.g., patrons at a prize fight or ball game?" Levy added.

Anti-Censorship Rally

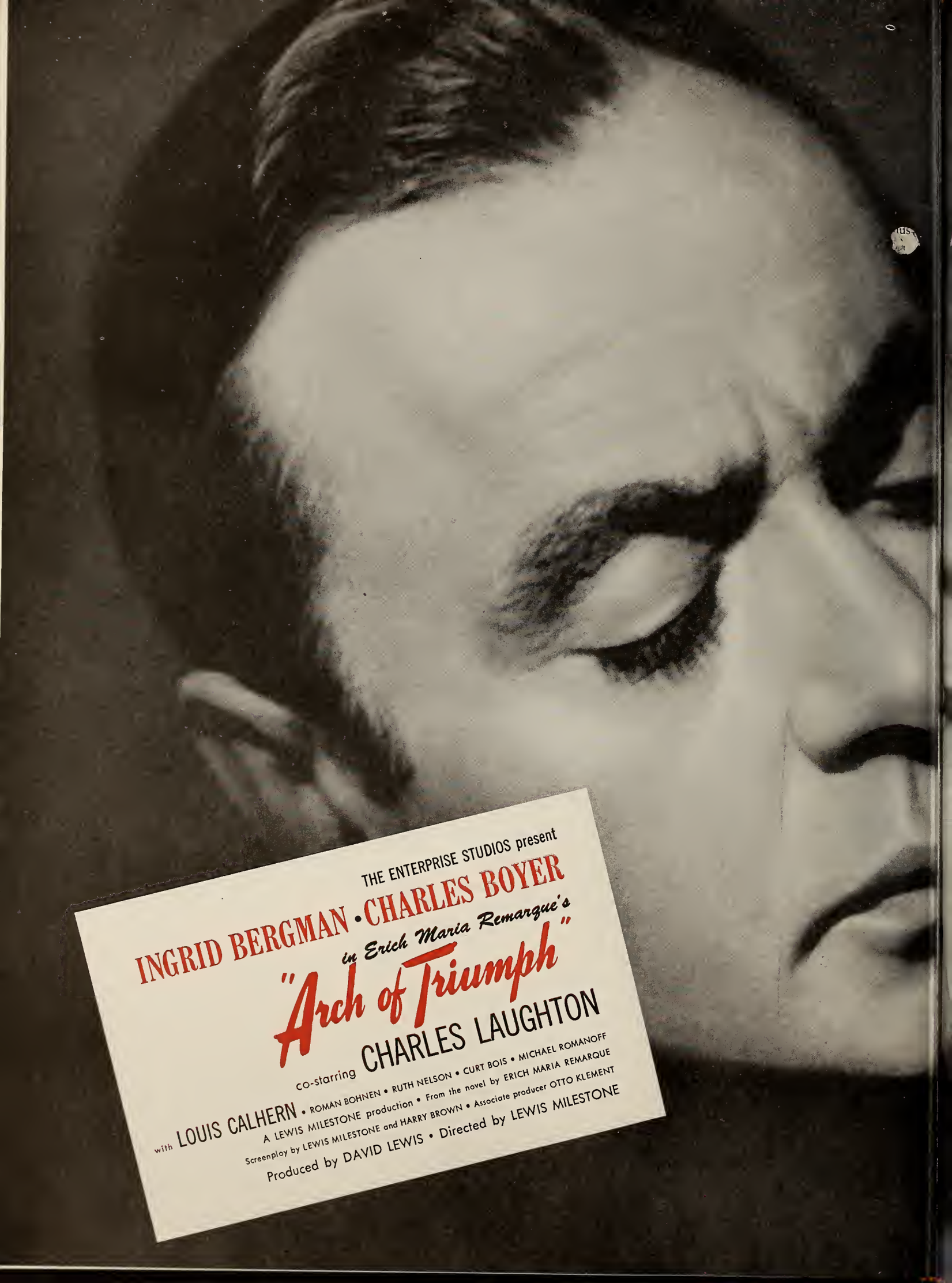
Garson Kanin, Elia Kazan, Henry Morgan, Phil Silvers, Paul Douglas, Marsha Hunt, Hary Hunter, Edith Atwater, Myron McCormick, and Morris Carnovsky will be among film and stage personalities who will participate in an after-theatre meeting at the International Theatre tonight to protest the Cunningham theatre censorship bill now before the New York City Council.

F-C Appoints Beier

Nat Beier, veteran industry sales executive, has been appointed branch manager of the Boston exchange of Film Classics, by B. G. Kranze, FC sales chief. Beier, who has been associated with 20th Century-Fox, Selznick Releasing Organization, and United Artists, replaces Maurice Green who has resigned.

Barry Halbert Dies

Barry Halbert, Western district manager for Confidential Reports, died yesterday after a short illness, CFI reports here. The widow and a son survive.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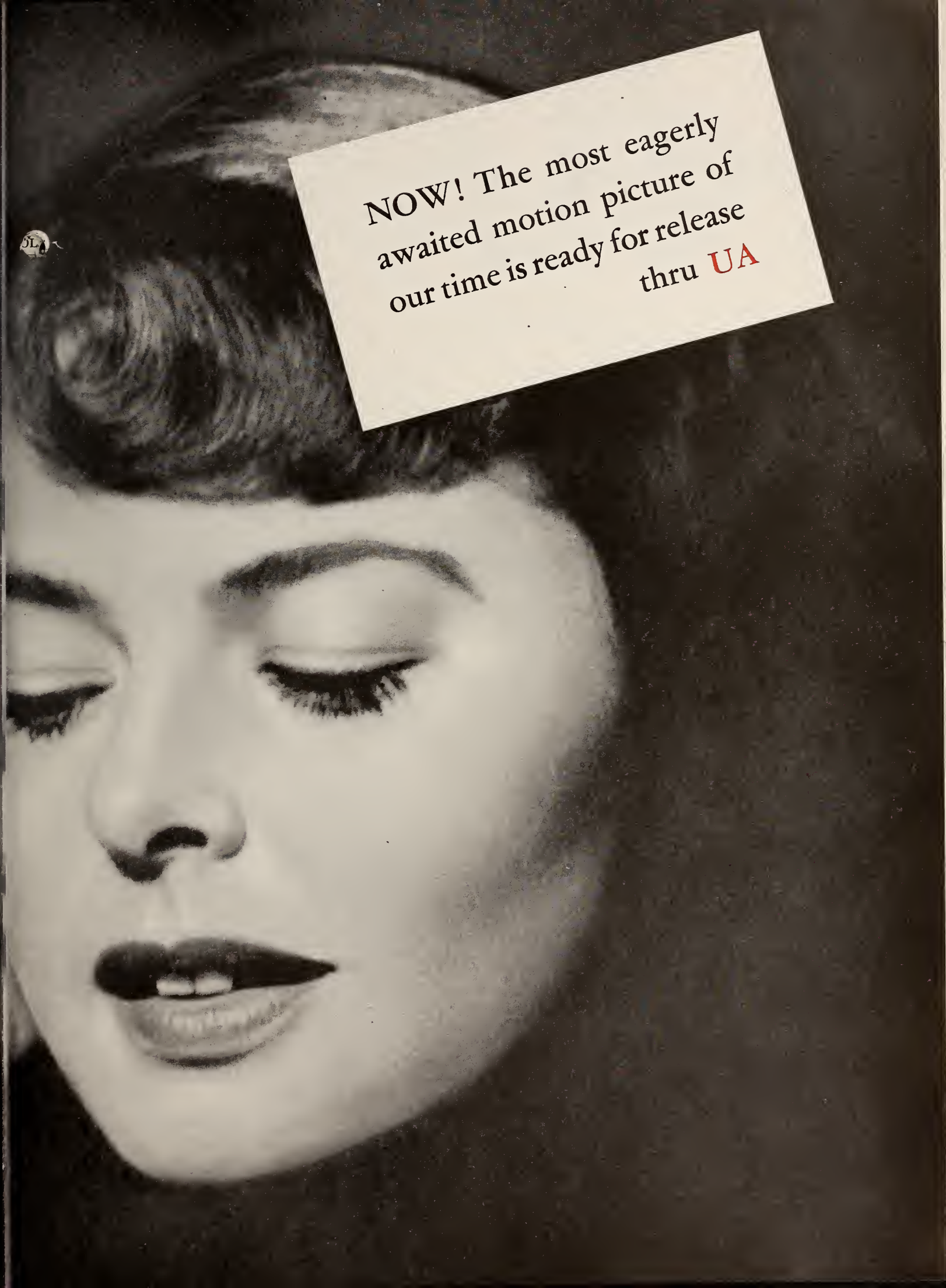
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Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BALTIMORE

With newcomers at most first-runs, and weather more appropriate to theatre-going than outdoors, box-offices were busy. As a result, most grosses are better than in recent weeks. "Strawberry Roan," with Gene Autry in person is tremendous at the Hippodrome. Estimated receipts for the week ending April 22:

I REMEMBER MAMA (RKO Radio)—TOWN (1,450) (29c-37c-56c) 4th week. Gross: $7,750. (Average: $10,500)
NAKED CITY (U-I)—VALENCIA (1,466) (29c-37c-45c-54c, and 56c weekends) 3rd week. Gross: $5,500. (Average: $5,000)
SITTING PRETTY (20th-Fox)—NEW (1,800) (29c-40c-50c-56c). Gross: $13,250. Average: $11,750)
STRAWBERRY ROAN (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c). With a stage show. Gross: $21,000. (Average: $17,000)
THE BIG CLOCK (Para.)—KEITH'S (2,406) (25c-37c-44-54c, and 56c weekends). Gross: $13,000. (Average: $12,000)
THE BRIDE GOES WILD (M-G-M)—CENTURY (3,000) (29c-37c-45c-54c, and 56c weekends). Gross: $16,500. (Average: $14,500)
THE INSIDE STORY (Rep.)—MAYFAIR (1,000) (21c-29c-54c). Gross: $6,000. (Average: $5,000)
THE SAINTED SISTERS (Para.)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $15,000. (Average: $14,500)
TO LIVE IN PEACE (Italy-Times)—LITTLE (328) (29c-37c-56c). Gross: $3,000. (Average: $3,000)

CINCINNATI

Most grosses are better than in the preceding week, but the RKO Albee, with Art Mooney's orchestra on stage and "Blondie's Anniversary" on the screen, is doing only fair, due to absence of Mooney, who underwent on emergency appendicitis operation. Estimated receipts for the week ending April 21:

BLONDIE'S ANNIVERSARY (Col.) — RKO ALBEE (3,300) (55c-95c) 7 days. On stage, Art Mooney's orchestra. Gross: $20,000. (Average: $30,000)
THE FIGHTING 69TH (WB reissue)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 7 days. Dualed with "Valley of the Giants" (WB reissue). Gross: $9,000. (Average: $8,000)
I REMEMBER MAMA (RKO Radio)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 3rd week, following an opening week at the Albee and a moveover week at the Capitol. Gross: $6,500. (Average: $5,000)
THE LADY FROM SHANGHAI (Col.)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $16,000. (Average: $15,000)
THE MATING OF MILLIE (Col.)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $9,500. (Average: $10,000)
NAKED CITY (U-I)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 7 days, 3rd week. Gross: $7,500. (Average: $7,500)
SITTING PRETTY (20th-Fox) — RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 7 days, 4th week, following an opening week at the Palace and two weeks at the Shubert. Gross: $6,500. (Average: $5,000)

ATLANTA

Business is mostly above average with fair and warmer weather. Estimated receipts for the week ending April 21:

THE BRIDE GOES WILD (M-G-M)—LOEW'S GRAND (2,446) (12c-54c). Gross: $13,500. (Average: $14,000)
THE NOOSE HANGS HIGH (E-L)—PARAMOUNT (2,446) (12c-50c). Gross: $11,000. (Average: $5,800)
SITTING PRETTY (20th-Fox)—FOX (4,446) (30c-50c). Gross: $12,000. (Average: $14,000)
THE SMUGGLER (U-I)—ROXY (2,446) (30c-50c). Gross: $7,000. (Average: $5,800)

TWA Constellations set new winter performance record

On its coast-to-coast and New York-Chicago routes, TWA's Constellations flew 4,377,000 miles, carried 117,000 passengers—completed 97% of scheduled mileage during one of worst winters in history!

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Reviews

"The Woman in White"

(Warner Brothers)

AS a psychological nerve-exciter, "The Woman in White" maintains a steady, cumulative hold on one's attention. The plot is a sturdy one, enhanced by handsome settings. As it develops, however, a good deal of the story becomes all too familiar, thus sapping some of its fresh appeal. Among the picture's best selling aspects are an exploitable title and an excellent cast that includes Alexis Smith, Eleanor Parker, Sydney Greenstreet and Gig Young.

Based on the Wilkie Collins novel, the film is set in a town near London in the middle of the last century. It presents Greenstreet as one of the evil masterminds who sent a young girl to an insane asylum to avoid a family scandal. This "woman-in-white" flees the asylum, but when she dies, the screenplay delves deeper into melodramatic sordidness, by calling for the plotters to send an heiress to the asylum in order to get control of her wealth. Through the activities of Miss Smith, who fits into the family tree as a cousin to the heiress, and Gig Young, a drawing teacher, the compounded villainy is finally redressed. Miss Parker assumes a dual role as the heiress and the "woman-in-white." Outstanding vignettes are offered by Agnes Moorehead and John Abbott. Stephen Morehouse provided the screenplay from which Peter Godfrey directed and Henry Blanke produced.

Running time, 109 minutes. Adult classification. Release date, May 15.

MANDEL HERBSTMAN

"The Strawberry Roan"

(Columbia)

WITH Gene Autry in the saddle, and a variation of the usual Western theme in the plot, "The Strawberry Roan," in Cinecolor, generously meets the requirements for a popular film in its classification.

The story is about a wild stallion headed for trouble when it throws and injures a ranchers son. Autry saves the horse from being killed, and as a consequence, finds himself an outlaw charged with rustling. As the tale gallops along to its happy ending, it is punctuated with intermittent gunplay and fisticuffs. Jack Holt assumes the role of a hard and arbitrary rancher, while Dick Jones portrays the son, with pretty Gloria Henry, the rancher's daughter, in the slight, romantic groundwork. A Gene Autry production, Dwight Cummins and Dorothy Yost wrote the screenplay, from a story by Julian Zimet. Armand Schaefer produced and John English directed.

Running time, 79 minutes. General audience classification. Release date, not set.

M. H.

Bob Kelly to Dixie

NEW ORLEANS, April 19.—R. A. Kelly has been appointed branch manner of Dixie Films by Jenkins and Bourgeois of Astor Pictures, Dallas, who have purchased Jack Auslet's interest in the Dixie exchange.

'Arch' Has Premiere For Children's Drive

"Arch of Triumph," Enterprise-United Artists, will begin its regular run at the Globe Theatre here today following a benefit opening last night, sponsored by the American Overseas Aid-United Nations Appeal for Children.

The premiere was attended by city officials, diplomatic and society leaders, stage and screen stars, and others. Activities were broadcast over WINS and television station WNBT.

Heads 'Appeal' Show

Earl Wilson, columnist, heads the executive committee of "Command Performance" to be presented at Madison Square Garden here on May 25 in behalf of the American Overseas Aid and United Nations Appeal for Children. Others on the committee are Sam Rauch, Harry Mandel, Carl Erbe, Mrs. Arthur Gray, Jr., and Morton Sunshine, coordinator. Spyros P. Skouras is chairman of the New York committee and Daniel P. Woolley is vice-chairman. Harry Brandt is chairman of special events.

To Aid Children's Drive

SAN FRANCISCO, April 19.—A drive to aid the United Nations Appeal for Children has been launched by Northern California Theatres. Rallies will be held April 24 in key theatres.

Pittman Brothers Build

NEW ORLEANS, April 19.—Pittman Brothers are building a new first-run at Baton Rouge.

N. Y. Grosses

(*Continued from page* 1)

000 in a fourth week at the Astor, and "Miracle of the Bells," bringing $20,000 (still mild) for a fifth week at the Rivoli.

"To the Victor," with Cab Calloway's orchestra on stage, is heading for a very good $58,000 in a first week at the Strand. At Loew's State the double bill of "Duel in the Sun" (regular admissions) and "Trouble Comes Trouble" is having a satisfactory first week with $30,000 anticipated. The Roxy, however, is having a very mild initial week with "Scudda Hoo! Scudda Hay!" plus a stage bill headed by Ed Wynn; $66,000 is foreseen on the basis of $56,000 for the first five days.

4 New Runs This Week

Third and final week of "Saigon," with Buddy Rich's band on stage at the Paramount, is expected to produce a good $60,000; "The Big Clock" will take over tomorrow. "Arch of Triumph" bows in today at the Globe, where the final two days of "Close-Up" brought $3,000. "Kings of the Olympics" will open at the Gotham on Thursday. "The Damned" will take over on Saturday at the Rialto, where a fourth and final week of "The Smugglers" is seen bringing a satisfactory $6,000.

"Are You With It?" got off to a pleasing start at the Winter Garden, where $23,000 is expected for a first week. At the Criterion, "All My Sons" is holding up, with the fourth week expected to bring in $22,000. Second week of "Winter Meeting" at the Warner is expected to be a good one, with $22,000 anticipated. The 23rd week for "Gentleman's Agreement" is due to bring the Mayfair a satisfactory $17,500.

$7,000 for 'Farmer's Daughter'

"The Farmer's Daughter" (revival) continues poorly at the Palace, where only $7,000 is seen for a second week; it will remain another, however. At the Sutton, "The Pearl" brought $4,000 for a ninth week; "The Brothers" will move into that house on May 4. First week of "The Mikado" (reissue) is expected to bring the Park Avenue a very good $10,000.

Fourth week of "The Search" is expected to bring the Victoria a satisfactory $17,000. At the Bijou, "The October Man" looks like $12,500 for its first week.

$1,350,000 Hospital Dedicated by Fund

HOLLYWOOD, April 19.—Motion Picture Relief Fund yesterday dedicated a $1,350,000 hospital at Calabasas, supplemental to its Motion Picture Country Home, with Mayor Fletcher Bowron, MPRF president Jean Hersholt and AMPP board chairman Y. Frank Freeman presiding. Funds were derived from the Screen Guild Players radio program.

Louisville 'Cancer Show'

LOUISVILLE, April 19.—The National Theatre here, owned by Vance Schwartz, will be the scene of a "Fight Cancer Show" beginning midnight April 29, staged with the cooperation of top entertainers, Harry F. Poynter of the American Legion post and local theatrical unions.

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VOL. 63. NO. 77 NEW YORK, U.S.A., WEDNESDAY, APRIL 21, 1948 TEN CENTS

Warner Urges Hollywood to Boost Output

Says Demand Is Great, Yet Unemployment Grave

HOLLYWOOD, April 20. — Citing increased production as the solution to the industry's gravest problems, Jack L. Warner today urged a general increase in picture-making to return unemployed workers to studio payrolls and to meet the urgent world-wide need for better entertainment.

"Unemployment in the motion picture industry has reached the danger point," Warner said. "At the same time, demand for good entertainment never has been so strong. To end that paradoxical situation, industry-wide steps should be taken immediately to get our workers back on the jobs and our production to a higher level."

Warner said he has become increasingly concerned over the unemploy-

(*Continued on page* 7)

Independents Need Support: Einfeld

Some independent and major circuit operators were branded as "short-sighted" here yesterday by Charles Einfeld for failing to support properly independent film producers.

"The independent producer is the backbone of quality production, which means better entertainment, but because of short-sighted reasoning certain theatre owners either fail to appreciate it or would prefer not to appreciate it," Einfeld said.

At the same time, the president of Enterprise, here for the New York opening of "Arch of Triumph," de-

(*Continued on page* 7)

DST Cuts Income 25%: Brylawski

WASHINGTON, April 20.—Theatres in areas with daylight saving time have experienced drops in attendance as high as 25 per cent as a result of the extra daylight hour, a Senate interstate commerce sub-committee was told today.

The statement came from A. Julian

(*Continued on page* 2)

Cinecolor Planning 45-Day Processing

Cinecolor will be geared shortly to a 45-day processing service, making it possible for Cinecolor prints to reach exchanges at about the same time it takes black-and-white prints to move from laboratories, Joseph Bernhard, Cinecolor president, reported here yesterday. At present, Bernhard pointed out, it takes about 90 days to process and deliver Cinecolor prints.

Bernhard said he believes that 70 per cent of Hollywood's pictures will be made in color in two or three years.

Citing the extent to which Cinecolor has stepped up production, Bernhard said that whereas the company processed only about 15 pictures last year, this year it will handle 20, and he predicted it will be able to process 30 in 1949.

Bernhard, who is also president of Film Classics, a subsidiary of Cine-

(*Continued on page* 8)

WB, 20th-Fox Order Screen Video Units

Large-screen theatre television systems will be delivered by RCA to Warner and 20th Century-Fox within 30 days, Barton Kreuzer, executive of RCA, disclosed yesterday at the second day of the third annual Television Institute panel sessions being held here at the Hotel New Yorker.

The system, it was revealed, is similar to that demonstrated here last week by Paramount. It records events on film as they come off the television tube and then projects the images on the screen within 66 seconds.

Conditions existing among television film distributors are so "chaotic" that many stations are not booking as many films as they would like, Irwin Shane, publisher of *Televiser,* asserted at yesterday's session. He called

(*Continued on page* 7)

4A's Open Talks on Video Pact Monday

Associated Actors and Artistes of America will start negotiations here on Monday on its first contract covering wages, hours and conditions of work for performers in television.

Initial negotiations will be with CBS, NBC, ABC and Mutual. DuMont, Paramount and the *New York Daily News* will negotiate later.

Negotiations in behalf of the performers will be conducted by a committee representing each of the AAAA unions.

Knutson Indicates No Excise Cut This Year

Washington, April 20.—Chairman Harold Knutson of the House Ways and Means Committee said today hopes for a substantial cut in excise taxes this year have been abandoned. The reason he gave was the prospect of increased military costs. In the face of the recent income tax reduction Knutson previously had been optimistic about reducing the 20 per cent Federal admissions tax to 10 per cent.

Schlaifer Looks at Film's 'New Look'

There is a "new look" in the industry today which reveals that pictures and the people who make them are abreast of the times, Charles Schlaifer, director of advertising-publicity for 20th Century-Fox, declared yesterday at the 41st annual luncheon of the New York Society of Kentucky Women, held at the Brooklyn Navy Yard.

"We are proud because the American industry is the foremost carrier of the ways of democracy to the corners of the earth," he said.

As chairman of the MPAA Advertising Advisory Council, Schlaifer told the group of the work which the

(*Continued on page* 2)

Col., 'U' Dismissed From Rivoli Suit

BUFFALO, April 20.—Columbia Pictures today was dismissed "on the merits" from the Rivoli Theatre damage action being tried in Federal District court here, and Universal was dismissed on the grounds that the wrong defendant had been named.

The Rivoli, of which Stanley Kozanowski is president, charged 11 defendants, including major distributors,

(*Continued on page* 2)

Meet Today to Create Bigger Talent Union

First steps to create a more powerful union in the talent field will be taken here today at a meeting of the Associated Actors and Artistes of America, parent union of Actors Equity, American Federation of Radio Artists, American Guild of Musical Artists, American Guild of Variety Artists, Screen Actors Guild and Chorus Equity.

Rank Asks, Is Told, What US Market Wants

Industry Leaders in Frank Exchange of Views

J. Arthur Rank, intent upon learning the answer to the slow progress being made by British films in the American market before his departure for London tomorrow, called upon leaders of the industry at a meeting here yesterday to advise him frankly what can be done to hasten their advancement.

Sum total of all the replies he received was: "British pictures will have to be made more palatable for U. S. consumption if they are to make real money here."

The meeting, called by Eric Johnston, Motion Picture Association president, at Rank's request, was held at

(*Continued on page* 8)

Rank-EL Confabs in London Start Mon.

Two weeks of conferences concerning the handling of J. Arthur Rank films in the U. S. and Latin America, and the distribution of Eagle-Lion Hollywood product in the British Empire, will commence in London, probably on Monday, with the expected arrival there over the weekend of William J. Heineman, E-L distribution vice-president, and Max E. Youngstein, advertising-publicity vice-president, from New York. They are due to leave here by plane on Friday.

Films of the Rank Organization to be discussed for release in the U. S.

(*Continued on page* 8)

Film Dividends Off Only 8 Per Cent

WASHINGTON, April 20.—Publicly-reported cash dividends of film companies during the first three months of 1948 were only eight per cent below the total for the like 1947 period, the Commerce Department reported here today.

The first 1948 quarter total was $11,744,000, compared with $12,752,000 for the first quarter last year.

Publicly-reported dividends are usually estimated to be about 60 per cent of all dividends.

Details of Argentine Decree Awaited Here

More detailed information on what is understood to be an official Argentine government decree reducing U. S. and other film imports by 75 per cent was being awaited yesterday by U. S. distributors here.

Foreign department executives of major distributors were at a loss to explain the Argentine government's action. Several company spokesmen were not certain whether the limitation of imports to 25 per cent of those for 1947 applied to monies, footage or number of pictures. More details are expected to be made available today. Existence of the decree was first disclosed here by MOTION PICTURE DAILY on April 15.

Industry protests to the U. S. State Department are expected against any severe Argentine restrictions.

Johnston Host to Thomas B. McCabe

WASHINGTON, April 20.—Motion Picture Association of America president Eric Johnston will give a reception next Wednesday afternoon at MPAA headquarters here for Thomas B. McCabe, new chairman of the Federal Reserve Board. Senators, Congressmen, Supreme Court Justices and other top officials, in addition to press and newsreel representatives, have been invited.

WB Sales Meet Today

Warner's Eastern district sales force will meet in Albany today. Attending will be Jules Lapidus, Eastern sales manager, presiding; F. D. (Dinty) Moore, Eastern district manager; Sam Lefkowitz, Metropolitan New York district manager, and branch managers R. S. Smith, Albany; George Horan, Boston; E. A. Catlin, Buffalo; Carl Goe, New Haven.

Allan Karf, WB Manager

HOLLYWOOD, April 20.—Funeral services will be held here tomorrow at the Malinow and Simmons Mortuary for Allan Karf, 49, manager of Warner Brothers Downtown Theatre, who died Monday night from a heart attack. Two sisters survive. Burial will be at St. Joseph, Mo.

Reelect B. & K. Board

CHICAGO, April 20.—B. & K. directors, including Barney Balaban, John Balaban, Elmer Upton, Leonard Goldenson and Austin Keough, were reelected at the annual meeting of stockholders held here today.

Skouras in College Post

Spyros Skouras has been named vice-chairman of the board of Athens College, which the 20th-Fox president has supported since its founding in 1925. Skouras has returned to New York from Europe.

Georgia MPTO Sets Meet

ATLANTA, April 20.—Motion Picture Theatre Owners and Operators of Georgia will hold its first convention in Atlanta on May 3-4.

Personal Mention

CECIL B. DEMILLE will return to Hollywood tomorrow from a three-week trip in the East.

•

WILLIAM BORACK, buyer-booker for Northio Theatres of Ohio and Kentucky, has been appointed assistant to HARRY E. LONG, general manager of Cooperative Theatres, Pittsburgh, effective May 1.

•

SAM ECKMAN, JR., M-G-M managing director in Great Britain, and MRS. ECKMAN, are scheduled to sail for England tonight on the *SS Queen Mary*.

•

M. A. LIGHTMAN, JR., and MRS. LIGHTMAN are parents of a daughter, NANCY, born in Memphis on April 13. LIGHTMAN is an executive of Malco, that city.

•

PAUL RICE, Paramount representative in Oklahoma City, has been transferred to Milwaukee where he will be in charge of the Paramount office.

•

MAURICE BERGMAN, Universal-International Eastern advertising-publicity director, is in Havana.

•

JULIUS GORDON, Jefferson Amusement Co. president, is in town from Beaumont, Texas.

•

ARTHUR RIPLEY, M-G-M producer, and EMMET LAVERY are due here from the Coast this week.

•

SALVATORE ADORNO will reopen the Palace Theatre, Middletown, Conn., this summer.

•

FRED GRUMBELL has purchased the Corn Theatre, Everly, Ia., from W. R. ARNDT.

DAVE HORNE, Film Classics foreign sales manager, will leave New York tomorrow for England and the Continent.

•

MORT BLUMENSTOCK, Warner advertising-publicity vice-president, is due in Dallas today from New York where he will confer with BEN KALMENSON, Warner distribution head, and BOB O'DONNELL, general manager of Interstate Theatre Circuit.

•

ALFRED ROTHSCHILD, National Screen manager in Memphis, will be married to BETTY CLAIRE THOMAS on May 2 at the home of his brother, BEN ROTHCHILD, in New Rochelle, N. Y.

•

SOL REIF, former Eagle-Lion branch manager in Omaha, has become Film Classics branch manager in that city, succeeding ELLIS SHAFTON, resigned.

•

SYDNEY ALBRIGHT, 20th Century-Fox International managing director in Australia, is in New York from Sydney.

•

MARCEL HELLMAN, British producer, has returned to New York from Hollywood and will leave for London within a week.

•

ALFRED HITCHCOCK is expected in New York early next month from London.

•

TONY GOODMAN, Monogram booker at Omaha, is a candidate for the city council in that city.

•

FRANK CAPRA left here last night for the Coast.

Protest E-L Film on Steubenville Crusade

STEUBENVILLE, O., April 20.—Protest against Eagle-Lion's proposed production of "Twelve Against the Underworld," written by Dr. Norman E. Nygaard, which reviews the 1946 anti-vice crusade by the Steubenville Ministerial Association, has been lodged by local labor groups.

Petition charges that the book was "not founded on fact" and a portrayal of its contents would embarrass Steubenville.

Testimonial to Lasky

CHICAGO, April 20.—A testimonial dinner honoring Jesse L. Lasky's 35 years as a producer is being planned here to coincide with the local premiere of his "Miracle of the Bells" at the RKO Palace, May 25. Proceeds of the premiere are to be donated to the Chicago Cancer Fund.

Award for Schary

Dore Schary, RKO Radio's production vice-president, will receive the 1948 One World Award for his contribution to films, at ceremonies to be held at Carnegie Hall, New York, on April 27. Awards will also go to Dr. Albert Einstein and William L. Shirer.

New Group in Ohio Buys 4 in Alliance

CLEVELAND, April 20. — All four theatres in Alliance, the Columbia, Almira and Union, Cleveland; Strand, have been acquired by Marsch Theatres, Inc., a new organization headed by Nate Schultz, Sam Schultz, Nate Marcus and Dave Marcus. Raymond Wallace, general manager of Tri-Theatres, now dissolved, will remain with the new owners as adviser.

Nate Schultz is president of Monogram Distributors, Inc., and is interested in the Lorain Theatre, Lorain; Almira and Union, Cleveland; Strand, Youngstown and Quilna, in Lima.

New Buchanan Account

The Buchanan advertising agency here has been appointed by James Nasser Productions to handle national advertising for "An Innocent Affair," to be released through United Artists. Over $200,000 is said to have been allocated for the campaign.

Boost Copyright Fee

WASHINGTON, April 20. — The House today passed and sent to the White House a bill raising the copyright fee from $2 to $4, which concurred with a Senate amendment.

Newsreel Parade

THE elections in Italy and the aftermath of the Bogota revolt are highlights of current newsreels. Floods, baseball and fashions are among other items. Complete contents follow:

MOVIETONE NEWS, No. 32—Italians vote against Communists. Trieste: huge Italian demonstration. Bogota: t[illegible]on still high. Helicopter helps to build [illegible] in Grand Canyon. School teaches th[illegible] of baby-sitting. Sports: President Trum[illegible] throws first ball. Golden gloves. Racing.

NEWS OF THE DAY, No. 266—First films of Italy's election. Bogota: post-script to revolt. Ohio River flood. Flying church. Secretary of Army Royall inspects weapons. Baseball season starts.

PARAMOUNT NEWS, No. 69 — Citation wins turf classic. Bogota: savage revolt leaves mark. Play ball! Italy goes to the polls.

UNIVERSAL NEWS, No. 136—Films of Italian election. Bogota digs out of ruins of revolt. Flood waters inundate Ohio towns. First ERP food ship sails. Canada gives aid to French hospitals. Church prepares shipment for London needy. White House balcony completed. Tiny tots swim under water.

WARNER PATHE NEWS, No. 71—Italians vote. Bogota riot. Baseball season opens. Helicopter helps build Indian church in Grand Canyon. Navy underwater wizard. Fur fashions.

DST Cuts Income

(*Continued from page* 1)

Brylawski, appearing on behalf of the Theatre Owners of America in opposition to a bill to require nationwide daylight saving. Brylawski told the committee that theatre owners opposed the bill simply because it hurt their business, and declared that drive-ins and theatres in small, rural communities would be especially hard hit.

Witnesses from other industries, including representatives of the National Association of Broadcasters and other groups, urged the committee to approve a bill requiring uniform time throughout the country, adding that they did not particularly care whether it was daylight or standard time.

Film's 'New Look'

(*Continued from page* 1)

committee is doing in the interest of decency and good taste in film promotions.

"This committee," he said, "is just as scrupulous in its application of these principles to advertising-publicity as the industry is in enforcing the general code governing the content of all motion pictures. The code is not only revised from time to time, but the campaign is constantly carried on within the industry to spread its import so that even those who are not within the organized industry may be influenced."

Col., 'U' Dismissed

(*Continued from page* 1)

with conspiracy to prevent it from getting first-run films on an equal basis with Shea's Roosevelt Theatre here. Louis D. Frohlich of the New York law firm of Schwartz and Frohlich, is counsel for Columbia.

Trial of the suit against the remaining defendants is proceeding.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

"EVERYTHING LOOKS ROSY!"

From ***HOLLYWOOD REPORTER*** (March 1, 1948)

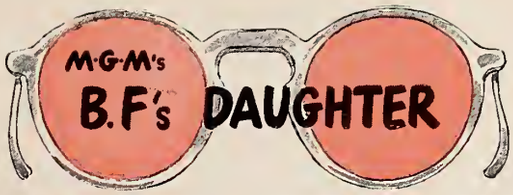
"A succession of hits from M-G-M or any other company will change the whole complexion of the industry. And from the excitement at M-G-M that's just what you can expect."

THE COMPLEXION OF THE INDUSTRY IS CHANGING!

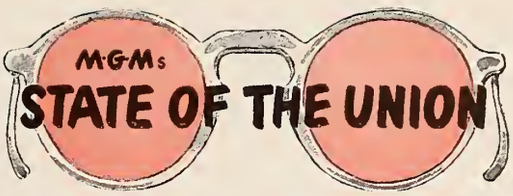
"THERE IS NOTHING WRONG WITH THIS INDUSTRY THAT GOOD PICTURES CAN'T CURE"

—Nicholas M. Schenck

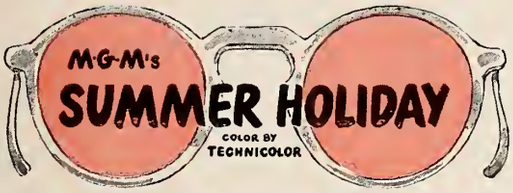
Every exhibitor who plays M-G-M product can have confidence in the forthcoming product. You have already seen "STATE OF THE UNION" and "HOMECOMING" at trade shows. You know what such pictures can mean to the "complexion of the industry". We take this advertisement... not to boast or blurb...but to inspire the showmanship that the great pictures announced here deserve.



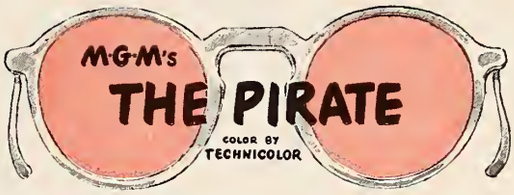
M-G-M presents "B. F.'s DAUGHTER" starring BARBARA STANWYCK • VAN HEFLIN • CHARLES COBURN • RICHARD HART • KEENAN WYNN • A ROBERT Z. LEONARD PRODUCTION • Screen Play by Luther Davis • Based on the Novel by John P. Marquand • Directed by ROBERT Z. LEONARD Produced by EDWIN H. KNOPF • A Metro-Goldwyn-Mayer Picture



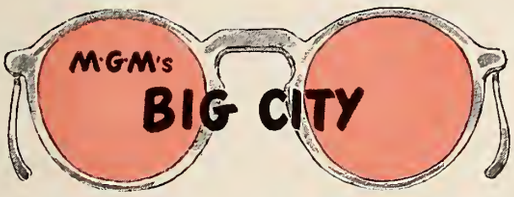
Metro-Goldwyn-Mayer and Liberty Films present SPENCER TRACY • KATHARINE HEPBURN • VAN JOHNSON ANGELA LANSBURY • ADOLPHE MENJOU • LEWIS STONE in FRANK CAPRA'S "STATE OF THE UNION" • Based on the Play by Howard Lindsay and Russel Crouse • Screen Play by Anthony Veiller and Myles Connolly • Associate Producer ANTHONY VEILLER • Produced and Directed by FRANK CAPRA • A Metro-Goldwyn-Mayer Picture



M-G-M presents "SUMMER HOLIDAY" • MICKEY ROONEY GLORIA DeHAVEN • Walter Huston • Frank Morgan • Butch Jenkins • Marilyn Maxwell • Agnes Moorehead • Selena Royle Color by TECHNICOLOR • Adapted by Irving Brecher and Jean Holloway • From the Screen Play by Frances Goodrich and Albert Hackett • Based on the Play "Ah, Wilderness!" by Eugene O'Neill Music by Harry Warren • Lyrics by Ralph Blane • Directed by ROUBEN MAMOULIAN • Produced by ARTHUR FREED A Metro-Goldwyn-Mayer Picture

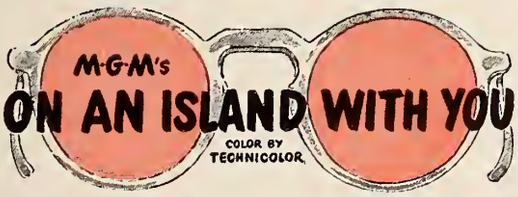


M-G-M presents JUDY GARLAND • GENE KELLY in "THE PIRATE" • WALTER SLEZAK • Gladys Cooper • Reginald Owen • Songs by COLE PORTER • Color by TECHNICOLOR Screen Play by Albert Hackett and Frances Goodrich • Based on the Play by S. N. Behrman • Dance Direction by Robert Alton and Gene Kelly • Directed by VINCENTE MINNELLI • Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture



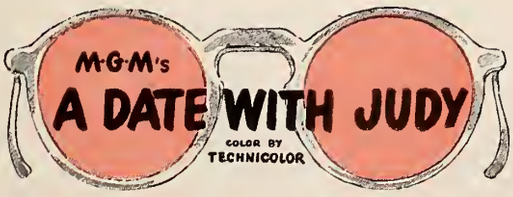
M-G-M presents "BIG CITY" starring MARGARET O'BRIEN ROBERT PRESTON • DANNY THOMAS • GEORGE MURPHY KARIN BOOTH • EDWARD ARNOLD • BUTCH JENKINS and introducing to the screen BETTY GARRETT and LOTTE LEHMANN • Screen Play by Whitfield Cook and Anne Morrison Chapin • Additional Dialogue by Aben Kandel • Based on a Story by Miklos Laszlo • As Adapted by Nanette Kutner • Directed by NORMAN TAUROG • Produced by JOE PASTERNAK A Metro-Goldwyn-Mayer Picture

M-G-M presents CLARK GABLE • LANA TURNER • ANNE BAXTER • JOHN HODIAK in "HOMECOMING" • Ray Collins • Gladys Cooper • Cameron Mitchell • A MERVYN LeROY PRODUCTION • Original Story by Sidney Kingsley Adaptation by Jan Lustig • Screen Play by Paul Osborn • Directed by MERVYN LeROY • Produced by SIDNEY FRANKLIN In association with Gottfried Reinhardt • An M-G-M Picture

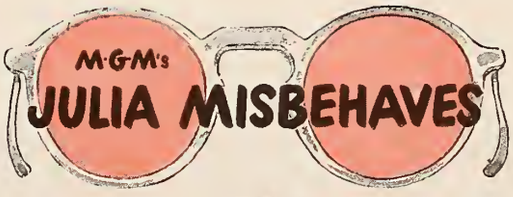


M-G-M presents ESTHER WILLIAMS • PETER LAWFORD RICARDO MONTALBAN • JIMMY DURANTE • CYD CHARISSE • XAVIER CUGAT and his orchestra • "ON AN ISLAND WITH YOU" • Color by TECHNICOLOR • Screen Play by Dorothy Kingsley, Dorothy Cooper, Charles Martin and Hans Wilhelm • From an original story by Charles Martin and Hans Wilhelm • Directed by RICHARD THORPE • Produced by JOE PASTERNAK • A Metro-Goldwyn-Mayer Picture

M-G-M presents IRVING BERLIN's "EASTER PARADE" starring JUDY GARLAND • FRED ASTAIRE • PETER LAWFORD ANN MILLER • Color by TECHNICOLOR • Screen Play by Sidney Sheldon, Frances Goodrich and Albert Hackett • Original Story by Frances Goodrich and Albert Hackett • Lyrics and Music by Irving Berlin • Musical Numbers Directed by Robert Alton Directed by CHARLES WALTERS • Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture



M-G-M presents "A DATE WITH JUDY" starring WALLACE BEERY • JANE POWELL • ELIZABETH TAYLOR • CARMEN MIRANDA • XAVIER CUGAT and his orchestra • ROBERT STACK • Color by TECHNICOLOR • Screen Play by Dorothy Cooper and Dorothy Kingsley • Based on the characters created by Aleen Leslie • Directed by RICHARD THORPE • Produced by JOE PASTERNAK • A Metro-Goldwyn-Mayer Picture



M-G-M presents GREER GARSON • WALTER PIDGEON in "JULIA MISBEHAVES" • PETER LAWFORD • CESAR ROMERO ELIZABETH TAYLOR • Lucile Watson • Nigel Bruce • Mary Boland • Directed by JACK CONWAY • Produced by EVERETT RISKIN • A Metro-Goldwyn-Mayer Picture

(Continued)

YOU OWE IT TO YOURSELF TO SEE M-G-M's TRADE-SHOWS

We appreciate the editorial praise about our coming pictures, but see them for yourself. They are star-studded, important and deserving of the promotion they will receive and the word-of-mouth you will hear from your audiences.

M-G-M GREAT IN '48!

PRINTED IN U.S.A.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Although the weather has been warm and clear, most Loop attendance continues to be materially off. "Design for Death," documentary, backed by a heavy ad campaign, is doing above average, however. Estimated receipts for the week ending April 22nd:

A DOUBLE LIFE (U-I)—PALACE (2,500) (67c-98c). Gross: $24,000. (Average: $22,000)
AN IDEAL HUSBAND (20th-Fox)—UNITED ARTISTS (1,700) (98c) 5 days, 2nd week. Gross: $15,000. **THE HIGH WALL (M-G-M)** 2 days. Gross: $15,000. (Average: $23,500)
APRIL SHOWERS (WB)—ROOSEVELT (1,500) (98c). Gross: $20,000. (Average: $20,000)
CASS TIMBERLANE (M-G-M)—WOODS (1,080) (98c) 6th week. Gross: $19,000. (Average: $23,000)
DESIGN FOR DEATH (RKO Radio)—GRAND (1,150) (87c-98c). Gross: $23,000. (Average: $16,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—APOLLO (1,200) (98c-$1.25) 24th week. Gross: $8,500. (Average: $17,000)
MAN OF EVIL (UA)—GARRICK (1,000) (44c-60c-80c-85c) 2nd week. Gross: $6,000. (Average: $10,000)
RUTHLESS (E-L)—STATE LAKE (2,700) (98c). Stage show. Gross: $29,000. (Average: $35,000)
SONG OF LOVE (M-G-M)—MONROE (953) (67c-95c) 3rd week. Gross: $8,000. (Average: $13,000)
THE BIG CLOCK (Para.)—CHICAGO (3,900) (98c). Gross: $38,000. (Average: $40,000)
THE MATING OF MILLIE (Col.)—ORIENTAL (3,300) (98c) 6 days, 2nd week. Stage: Bonnie Baker. **CASBAH (U-I)** 1 day. Stage: Tony Martin. Gross: $38,000. (Average: $40,000)

DENVER

Weather was too good to give most theatres much help. Estimated receipts for the week ending April 21:

BIG CLOCK (Para.)—DENHAM (1,750) (35c-70c). Gross: $12,500. (Average: $11,000)
BISHOP'S WIFE (RKO Radio) and WESTERN HERITAGE (RKO Radio)—OPHEUM (2,600) (35c-74c). Gross: $16,500. (Average: $13,500)
NAKED CITY (U-I) and CAMPUS SLEUTH (Mono.)—DENVER (2,525) (35c-74c). Day and date with the Esquire and Webber. Gross: $14,000. (Average: $13,000)
NAKED CITY (U-I) and CAMPUS SLEUTH (Mono.)—ESQUIRE (742) (35c-74c). Day and date with the Denver and Webber. Gross: $2,750. (Average: $2,000)
NAKED CITY (U-I) and CAMPUS SLEUTH (Mono.)—WEBBER (750) (35c-74c). Day and date with the Denver and Esquire. Gross: $2,750. (Average: $2,000)
SIGN OF THE RAM (Col.) and RETURN OF THE WHISTLER (Col.)—ALADDIN (1,400) (35c-74c). After a week at the Paramount. Gross: $2,500. (Average: $2,500)
SITTING PRETTY (20th-Fox) and TENDER YEARS (20th-Fox)—RIALTO (878) (35c-74c). Gross: $3,750. (Average: $3,000)
SMUGGLERS (E-L) and COBRA STRIKES (E-L)—PARAMOUNT (2,200) (35c-74c). Gross: $9,000. (Average: $10,000)
SOUTH OF TAHITI (FC) and JUNGLE WOMAN (FC)—TABOR (1,967) (35c-74c). Gross: $9,000. (Average: $8,000)

TORONTO

First-run situation here became more complex with the opening of two theatres, the independent Biltmore and the Odeon Danforth. Three theatres held over their programs. Weather was cool with some rain. Estimated receipts for the week ending April 22:

THE BISHOP'S WIFE (RKO Radio)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $15,600. (Average: $14,600)
BLACK BART (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $12,600. (Average: $11,600)
HIGH WALL (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c). Gross: $15,700. (Average: $14,200)
JASSY (E-L)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $7,000. (No average, new theatre)
JASSY (E-L)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days. Gross: $6,300. (Average: $5,000)
PERSONAL COLUMN (UA) — BILTMORE (950) (20c-30c-36c-55c) 6 days. Gross: $7,000. (No average, first week of theatre)
SITTING PRETTY (20th-Fox) — NORTOWN (950) (20c-36c-42c-60c) 6 days, 5th week. Gross: $4,800. (Average: $7,000)
SITTING PRETTY (20th-Fox) — VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 5th week. Gross: $5,000. (Average: $6,300)
TYCOON (RKO Radio)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days. Gross: $7,900. (Average: $7,400)
TYCOON (RKO Radio)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days. Gross: $9,700. (Average: $9,200)
THE VOICE OF THE TURTLE (WB)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days. Gross: $17,400. (Average: $14,900)

KANSAS CITY

Hot weather cut attendance. Looks like a far lower attendance than in April, 1947. Estimated receipts for the week ending April 20-22:

APRIL SHOWERS (WB)—PARAMOUNT (1,900) (45c-65c). Gross: $15,000. (Average: $12,000)
DUEL IN THE SUN (Selznick)—MIDLAND (3,500) (45c-65c). Gross: $16,500. (Average: $15,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—FAIRWAY (700) (45c-65c) 2nd week. Gross: $1,600. (Average: $1,750)
GENTLEMAN'S AGREEMENT 20th-Fox)—TOWER (2,100) (45c-65c) 2nd week. Gross: $7,850. (Average: $9,000)
GENTLEMAN'S AGREEMENT (20th-Fox)—UPTOWN (2,000) (45c-65c) 2nd week. Gross: $5,250. (Average: $6,000)
I REMEMBER MAMA (RKO Radio)—ORPHEUM (1,900) (45c-65c) 3rd week. Gross: $10,000. (Average: $10,000)
SECRET BEYOND THE DOOR (U-I) and FEAR IN THE NIGHT (Para.)—ESQUIRE (800) (45c-65c). Gross: $3,000. (Average: $5,000)

Now at your service!

FIVE STAR DC-6 FLAGSHIPS

LOS ANGELES

11 hours, 45 minutes

Phone HAvemeyer 6-5000 or your travel agent

Ticket Offices: Airlines Terminal • Rockefeller Center • Hotel New Yorker • 120 Broadway Hotel St. George

AMERICAN AIRLINES

29 in Production At Coast Studios

HOLLYWOOD, April 20.—Production tally stood at 29 at the weekend, compared to 28 for the previous week. Work started on seven new films while six were sent to film editors.

Shooting started on "Command Decision" and "Words and Music," M-G-M; "Trigger Man," Monogram; "The Accused" (Hal Wallis), Paramount; "Big Dan" (Sol Wurtzel), 20th Century-Fox; "Countess of Monte Cristo" and "Larceny," Universal-International. Shooting finished on "Miraculous Journey" (Sig Neufeld) and "Sofia" (Arpi), Film Classics; "Arizona Sunset," Monogram; "Dynamite" (Pine-Thomas), Paramount; "Blood on the Moon," RKO-Radio; "This Side of the Law," Warner.

Einfeld

(*Continued from page* 1)

clared that the recent economy drive in Hollywood will enhance rather than lessen the quality of future pictures. He pointed out that Hollywood did not present the complete story to the public when it announced its economy drive, and he placed the blame on Hollywood.

Productions contemplated by Enterprise in 1948-49, beside "Arch," include: "No Minor Vices," "Tucker's People," "Wild Calendar," "Proud Destiny," "Pursuit of Love," "Tuesday to Bed," "Tennessee's Pardner," an untitled Lewis Milestone production and an untitled Harry Brown original. "Wanted" will be given a world premiere in Santa Fe on May 15; also ready for release is "So This Is New York."

'Arch' Booked Over Loew Circuit

"Arch of Triumph," Enterprise Studios' $5,000,000 production, has been booked over the entire Loew Circuit, it was announced here yesterday by United Artists, which is releasing the film.

Order Video Units

(*Continued from page* 1)

for uniform standards for films, Shane pointed out that since television film programs differ from those offered by motion picture theatres, attendance at the latter would not be hurt seriously by television's development. He stressed that television's basic film needs are for shorts and documentaries of about 20-minute duration.

A talk scheduled by Ira Becker on problems of theatre television was not delivered. Reports on films will be given at today's sessions.

Warner Urges

(*Continued from page* 1)

ment situation as the number of idle workers has continued to climb and the industry level has continued to sag.

"On April 12, 1946, 44 pictures were in work at major studios," he pointed out. "On April 12, 1947, 33 pictures were before the cameras. And on April 12, 1948, only 23 pictures were in production at major studios. That means a drastic cut in workers' jobs as well as a serious decline in the over-all supply of world entertainment."

Says Slump Cut 3,000 Jobs

Warner estimates that the production drop during the last two years cost more than 3,000 technical craft workers their jobs.

"Stars should think of their responsibility to fellow-workers before they refuse roles or decline to make a picture because they've already done one or two during the year," he said. "Each time a star refuses to do a picture or delays starting one, he or she is affecting the livelihood of a thousand or more workers."

Warner said there had been a justification for a leveling-off in production and employment from peak war years.

Cites WB Production Record

"We at Warner Brothers are proud of the dispatch with which that adjustment was affected at our studios. For just one period of two weeks in mid-August we had no pictures actually shooting, although preparations were in progress so that by mid-September we were able to have five feature pictures in production.

"During the fall when industry production was at its lowest ebb, Warner Brothers maintained a consistently high shooting schedule . . ."

Since Jan. 1, 1946, Warner said, the average of continuous production at Warner Brothers has been 4.6 pictures, compared with 2.7 for the balance of the other major studios.

'IA' to AFL State Meet

Some 150 IATSE representatives from 52 locals in New York State will attend the August 2 State Federation of Labor convention to be held in the Hotel Commodore here, John Francavilla, president of 'IA' Local No. 702, who is assisting with arrangements, reports.

MGM Has Anti-Ism Short

Metro-Goldwyn-Mayer will release "Make Mine Freedom," one-reel Technicolor cartoon dramatizing benefits of the American way of life as opposed to "isms," on Saturday.

RKO RADIO PICTURES, Inc.

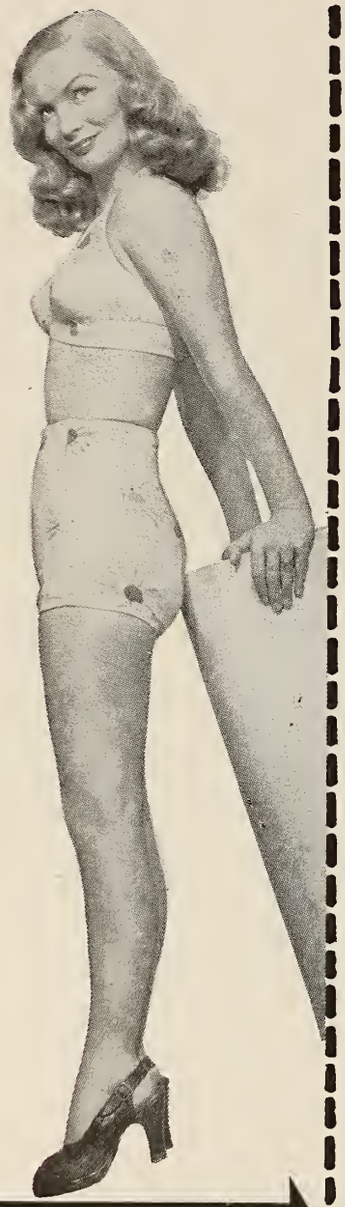
MINNEAPOLIS

Trade Showing of

"DESIGN FOR DEATH"

TUESDAY, April 27, at 2:30 P.M.

Fox Projection Room—1015 Currie Avenue



Sensational Figures are Coming your Way — In "A gem of a Comedy,"* Experts say...

* HOLLYWOOD REPORTER

Review

"California Firebrand"

(*Republic*)

LAID in the boom days of California, this Western in Trucolor retells with a tireless display of action the story of the town official who uses his position to mask a conspiracy to gain control of local settlers' gold-bearing lands. The headlong pace is halted now and then only long enough for a musical interlude to bolster entertainment value. Villainy and heroics are generously compounded into a tale that makes the most of the talents of Monte Hale both as a man of action and as a singer.

The J. Benton Cheney-John K. Butler script calls upon Hale to track down his father's killers. The trail leads him to the mayor and a gang of the blackest malefactors imaginable. In uncovering their plot the hero stirs up no end of commotion. Hale is assisted in his quest for justice by an old sidekick (Paul Hurst) and by Adrian Booth. Melville Tucker was associate producer; Philip Ford directed.

Running time, 63 minutes. General classification. Release date, April 1.

P.E.L.

Rank Asks

(*Continued from page* 1)

the MPAA office here. Exhibition and distribution executives, as well as company heads, attended the meeting and discussed the problems of British films at considerable length and with equivalent frankness.

These problems have a mutuality of interest, American and British, since sums equivalent to the American earnings of British films will be added to the remittable amounts of the American companies in England.

Says US Exhibitors 'Retaliated'

During the discussion Rank told the group that he believed U. S. exhibitors "retaliated" against Britain's *ad valorem* film tax after it was imposed. Earnings of British pictures in the U. S. fell off continuously after the tax was imposed and the U. S. companies set up their embargo last August, he said, holding that this was, to a large extent, a reflection of U. S. exhibitors' resentment against Britain for having levied the import tax. None of the U. S. industry representatives present felt qualified to comment on whether or not that was true, it is understood.

Rank was told that British producers would have to see that the diction in English films is made more understandable to Americans, for one thing, if British films are to find greater acceptance here. U. S. spokesmen held that the planned interchange of directors and technicians between U. S. and English studios would serve to help the British in solving this "language difficulty" and some indicated that they foresaw interchanges of technicians taking place in the near future now that the tax impasse has been settled.

Industry Executives at Meeting

Present at the meeting, in addition to Rank and Johnston, were: Nate Blumberg, Gradwell L. Sears, Barney Balaban, Leonard Goldenson, Austin Keough, S. H. Fabian, Robert W. Coyne, Gerald Mayer, Francis Harmon, Nicholas Schenck, Ned E. Depinet, Sol Schwartz, Spyros P. Skouras, J. Robert Rubin, Jack Cohn, William A. Scully, and others.

The only phase of the British tax agreement that was touched upon at the meeting concerned possible plans for U. S. production in England under the provisions of the agreement. Balaban, replying to Rank's query, said Paramount may produce one, two or four pictures a year in England, adding that he thought two would be the most likely figure. Skouras and others told him they did not know at the moment just how many their companies would produce there.

Rank told the Americans he appreciated receiving the benefit of their advice and judgment. He is scheduled to return to England aboard the *Queen Mary* tomorrow.

MPAA Board Meeting May Get Remittances Plan

Annual meeting of the Motion Picture Association of America's board has been definitely set for tomorrow in New York. The meeting was twice delayed to allow more time for full clarification of the British tax settlement agreement at conferences among representatives of the American industry and for perfecting the plan for division of remittances on the basis of percentage of earnings to individual pictures.

Indications are the formula will be ready for submission to the MPAA directors.

Rank E-L Confabs

(*Continued from page* 1)

and in Latin America are those coming under the plan established in recent Rank-Eagle-Lion conferences here whereby Universal-International and E-L will share in the "pre-selection" of top Rank product.

Besides British markets, the conference will also map plans for the handling of E-L product in Europe and Asia, through Eagle-Lion, Ltd. and General Film Distributors, Rank subsidiaries.

Also slated for discussion in London is the coordination of advance promotional arrangements in London to give news-desk coverage of the Olympic Games to American newspapers and radio outlets in tie-ups for the Rank "1948 Olympic Games" feature, which will be an E-L release in the U. S.

Cinecolor

(*Continued from page* 1)

color, said he does not believe exhibitors have a right to complain about high rentals when they "fail to realize that they are not supporting producers in the latters' attempts to develop new acting talent."

Logan to Address SMPE

H. L. Logan, manager of the research department of Holophane Co., will address the local section of the Society of Motion Picture Engineers tonight in the Hotel Pennsylvania on illumination requirements in theatre design.

Veronica Lake and Joan Caulfield are "THE 'SAINTED' SISTERS" from Paramount (and Barry Fitzgerald's their "Angel")

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 78 NEW YORK, U. S. A., THURSDAY, APRIL 22, 1948 TEN CENTS

NO MAJOR BREACH OF CHICAGO DECREE

20th-Fox Sets Revised Sales Organization

Moon Upped; Branch, District Heads Change

Twentieth Century-Fox is eliminating its eight district managers in a streamlining operation and consolidating its Mideast with its Northwest sales division under Ray E. Moon as sales manager. Howard Minsky, Mideast division manager, will have headquarters in New York as Moon's assistant. It is a promotion for both men.

Four of the present district managers will become assistant divisional managers and four others will become branch managers in their headquarters cities. Thus, Tom Gilliam, district manager at Chicago, will become branch manager there, replacing J. R. Neger. Similarly, E. X. Callahan, district manager at Boston, is to assume branch managership in Boston,

(*Continued on page 2*)

Percentage Suits Filed in Baltimore

BALTIMORE, April 21.—Separate percentage suits were filed here today in U. S. District Court by Universal, 20th Century-Fox, RKO, Columbia and Warner Brothers against Morton H. Rosen and Morris R. Oletsky, defendants in all of the suits and four operating corporations with which they are said to be associated, named as defendants in one or another of the actions. Theatres named are the Windsor, Monroe, Fremont and Victory, all in Baltimore.

R. Dorsey Watkins of the Baltimore law firm of Piper, Watkins, Avirett and Egerton is attorney for each plaintiff, with Sargoy and Stein of New York as counsel.

Critics, Censors Hit Film; Fans Run to It

LONDON, April 21.—Following an unprecedented widespread British newspaper attack against the British-made film about American gangsters, "No Orchids for Miss Blandish," alleging the picture to be unsavory and unfit for public showing despite its having been granted a censors' certificate, Prime Minister Clement Atlee was urged by House of Commons

(*Continued on page 2*)

MPAA Hits Federal Censorship in Radio 'Editorializing' Case

WASHINGTON, April 21.—No Governmental licensing authority should scan the ideological content of motion pictures, radio or any other media of public expression, the Motion Picture Association today told the Federal Communications Commission. The statement was made in a brief filed by MPAA general counsel Sidney Schreiber opposing the FCC's so-called Mayflower decision, denying broadcasters the right to editorialize. The FCC this week reopened hearings on whether it should change its ruling.

Schreiber repeated the stand taken by MPAA president Eric Johnston in a letter to the FCC in January that "free speech must be free for all media or it is free for none."

New EK 'Lab' for Video Film Study

ROCHESTER, N. Y., April 21.—Eastman Kodak has a new laboratory to study films for television, Dr. Cyril J. Staud, director of Kodak Research Laboratories, announced here today, adding that its basic purpose will be to find films which will prove most useful in the television field.

"Indications are that films at present available offer satisfactory results. Prints developed to give good quality on motion picture screens will also give satisfactory images when shown on television screens," he added.

He indicated three categories into

(*Continued on page 2*)

House Group Delays Tax Bill Submission

WASHINGTON, April 21.—House Ways and Means Committee Chairman Knutson today postponed to early June the date on which he hopes to have his general tax revision bill on the House floor, raising considerable question as to whether there will be time for the Senate to pass the measure before Congress adjourns for the political conventions.

Many of the revisions already agreed on by the committee could mean considerable tax reductions for motion picture companies, and the major distributors are still hoping to have included a provision easing the tax treatment of profits on the sale of any theatre interests which they might have to dispose of as a result of the U. S. Supreme Court's decision in the Paramount case.

There continues to be virtually no possibility of action this session to reduce the admission tax.

Colquhoun Named E-L Atlanta Head

ATLANTA, April 21.—Norman Colquhoun, former Southwest district manager of Republic Pictures in Dallas, has been appointed Atlanta branch manager of Eagle-Lion, replacing Nelson Towler, who has not yet announced future plans.

Court Exonerates All Individuals, 2 Majors In Jackson Park Case

CHICAGO, April 21.—All individual defendants were exonerated of contempt charges for alleged violations of the Jackson Park Theatre decree here today and corporate defendants were upheld on all but four civil counts in a decision handed down by Federal Judge Michael Igoe.

Paramount, 20th Century-Fox, RKO Radio and Balaban and Katz were found guilty on civil contempt counts, regarded as largely technical, in connection with the granting of clearance following the two-week Loop run decree limit and the creation of dead waiting time after Loop runs. The four will be fined amounts equivalent to court costs and Jackson Park counsel fees on those counts. No damages are awarded plaintiff.

Warner Brothers and Loew's were exonerated completely.

The court also ignored the petition of Thomas C. McConnell, Jackson Park Theatre attorney, that defendants be required to post $1,000,000 as security for future compliance with the decree.

Though holding Paramount and

(*Continued on page 4*)

MPAA Bd. to Weigh UK Formula Today

The committee of U. S. film industry representatives, which has been meeting during the past few weeks to weigh suggestions for a formula under which the British tax agreement can be administered in behalf of the American companies, held a final meeting here yesterday preliminary to the annual meeting of the Motion Picture Association of Amer-

(*Continued on page 2*)

Predicts Low-Cost Para. Films for Television Use

Paramount may be producing pictures for television shortly at costs which today might seem hopelessly low, John Dickinson of Paramount television stations, asserted here yesterday in the final day of the third annual Television Institute conference at the Hotel New Yorker.

At the same session, Richard De Rochemont, March of Time executive, said that MOT intends to enter television, but has decided against turning over any current theatrical subjects to telecasters. "They will stay in theatres," he said.

Dickinson declared that some Paramount production divisions are now being readied for television produc-

(*Continued on page 2*)

MPAA Defers Action On Argentine Move

Motion Picture Association of America will defer action on the Argentine government decree reducing U. S. and other film imports by 75 per cent, pending conferences in New York between Gerald Mayer, MPAA international director, and Joachim D. Rickard, its South American representative. Rickard is due from Buenos Aires in two weeks.

Rank in Bid to US Independent Owners

Hope of inviting leading representatives of independent theatre organizations to England shortly was expressed by J. Arthur Rank last night prior to his return to England after six weeks in the U. S. The purpose would be to have the guests "see for themselves why we are a permanent

(*Continued on page 2*)

Personal Mention

JAMES A. MULVEY, president of Samuel Goldwyn Productions, will observe a birthday today.

•

WADSWORTH E. POHL, Technicolor technical director, and MRS. POHL are among passengers sailing for England today aboard the *SS Queen Mary*. Also sailing are J. ARTHUR RANK and MRS. RANK, SAM ECKMAN, VIRGINIA O'BRIEN, ALBERT BASSERMAN and MRS. BASSERMAN.

•

LYNN FARNOL, Samuel Goldwyn Productions Eastern advertising-publicity director, will return to New York today from Boston after working on the first regular release opening there of "The Best Years of Our Lives."

•

CHARLES SCHLAIFER, 20th Century-Fox advertising-publicity head, will conduct a one-week course on film publicity at the New School for Social Research, New York, starting April 30.

•

SAM SHIRLEY, M-G-M special sales representative, will return to Los Angeles today from New York.

•

CHARLES EINFELD, Enterprise president, has postponed his return to the Coast from New York for two weeks.

•

CHARLES BOASBERG, RKO Radio North-South division manager, is in Dallas from New York.

•

SUNSET CARSON, Astor Pictures Western star, is critically ill following an accident in Virginia.

•

AL DAFF, Universal-International foreign sales supervisor, is due back here tomorrow from London by plane.

•

EZRA E. STERN, film attorney, is visiting here from Hollywood and will return to the Coast on Saturday.

4A's Sets Conclave For Stronger Union

Conferences of all unions comprising the Associated Actors and Artistes of America will begin here on May 17 in a move to create a more powerful union of all performing talent. The conclave was voted upon yesterday at a meeting of the international board of the AAAA. Powers and structure of the AAAA will be examined at the conference.

Ritchey, Tom Talk Deal

Negotiations for additional Monogram and Allied Artists product for Hongkong and China are being held here by Norton V. Ritchey, head of Monogram International, and C. Y. Tom, president of the Chinamerica Film Exchange of Hongkong. Tom, who recently finalized a deal for four Monogram pictures, plans to stay here for a few months and then return to set up a new Chinese film studio.

Sanford Is Head of Unemployment Unit

Motion Picture Associates here has established an unemployment service for the Metropolitan area for those with experience in the film industry or allied fields.

Arthur Mayer, MPA president, announced the new committee will be headed by Bert Sanford of Altec and will include Ralph Pielow, M-G-M; Ed Fabian, Fabian Theatres; Emanuel Frisch, Randforce, and Ira Meinhard of Pacime Film Delivery.

Named Dinner Chairman

Harry Brandt has been named general chairman for the Motion Picture Associates' annual dinner to be held at the Waldorf-Astoria Hotel here on May 21 as a "Salute to the Will Rogers Memorial Hospital," which will receive half of the profits from the dinner.

Duals for RKO's Palace

RKO's New York Palace will switch from first run to a double-feature policy next Wednesday, playing day-and-date with RKO's Manhattan, Bronx and Westchester circuit. Neighborhood prices will prevail, on a weekly change.

$1.06 "U" Dividend

Quarterly dividend of $1.06¼ on the company's 4¼ per cent cumulative preferred stock was declared here yesterday by Universal directors, payable on June 1 to stockholders of record on May 15.

United Theatres to Build

OTTAWA, April 21.—Directors of United Amusement Corp. have under consideration additional sites for construction of theatres. Last year expenditures for the purpose were extensive.

76 Join the Academy

HOLLYWOOD, April 21.—Academy of Motion Picture Arts and Sciences has accepted 76 applications for membership, as approved by the board of governors.

20th-Fox Sales

(*Continued from page* 1)

replacing D. R. Houlihan. Neger and Houlihan, in turn, become salesmen in their respective exchanges.

Other district managers affected in the move, which springs out of economy, plus a closer coordination of sales supervision, are: C. G. Norris, Washington; Paul S. Wilson, Atlanta; Philip Longdon, Dallas; M. A. Levy, Minneapolis; Charles L. Walker, Salt Lake City, and Bryan D. Stoner, San Francisco.

The company is expected to announce these changes today.

Fred Norman's Father

Funeral services were held at the Boulevard Funeral Parlor here on Tuesday for Nathan Norman, father of Fred Norman of RKO Radio's home office publicity department.

SCTOA Warned of Renewed Censorship

Los Angeles, April 21.—Warning of a "resurgence of censorship, particularly against questionable advertising," Paul Williams, Southern California Theatre Owners Association general counsel, has cautioned SCTOA members to be "very careful that all motion picture advertising remains within bounds." He cited proposed ordinances in several California cities.

British Censors

(*Continued from page* 1)

members today to appoint a commission to investigate the methods of the British Board of Film Censors and consider its replacement by a statutory body.

Attlee said he felt there was no need for a commission.

The film is drawing large crowds to Paramount's Plaza here. Paramount leased the house for five weeks to James George Minter's Renown Pictures, producer of "Orchids," and is not connected with the production.

A demand has been made that the Public Control Committee of London County Council ban the film notwithstanding the censors' approval of it. Although several members of the committee already have seen the film, the group, considering the matter today, decided it would be unfair to deliver judgment until the whole committee has attended a private screening scheduled for tonight.

Rank Hopes

(*Continued from page* 1)

source of fine film entertainment—to see our studios, our films shortly to arrive in America, and our theatre operations," Rank declared. He said that his representatives would soon meet with Abram Myers, chairman of Allied States, to assist in arranging this visit program.

"It is my sincere belief that 1948 and 1949 will be the biggest years thus far in the British film industry," Rank asserted. His last day in New York was spent in conferences with Robert S. Benjamin, president of the American Rank Organization and at a meeting of the Universal board of directors, of which he is a member.

Rank disclosed that he met with individual leaders of the various film companies here "who reassured me of their determination, now that the ad valorem tax situation is out of the way, of seeing that our films were accorded the widest possible distribution in their theatres."

Greece, Majors in Deal on Remittances

U. S. distributors and the Greek government have concluded an agreement on remittances it was disclosed here yesterday at the offices of the Motion Picture Association of America. The deal is understood to involve the release of some $500,000.

Ask Litigation-Proof Contracts for Video

Overwhelming need for a standard clearance contract that would relieve television stations in litigation involving copyrights in televised films was indicated in a survey conducted by a television film coordinating committee, which reported yesterday to the Television Institute conference at the Hotel New Yorker here.

Para. Video Films

(*Continued from page* 1)

tion. He also revealed that by June 1, Paramount hopes to install in its Los Angeles and Chicago stations new film recording systems for telecasts. He said it is Paramount's belief that "films may continue to be the cheapest method of syndicating television programs for quite some time." He also declared that television in time may become "the greatest and most persuasive advertising medium" for motion pictures.

"We must create new material and adapt it to television," De Rochemont declared, pointing out a difference in the needs for theatre and television audiences. He said that if such experimental and developmental production is carried on by every branch of the film industry, one of the major problems of television would come close to being solved.

New EK 'Lab'

(*Continued from page* 1)

which films for television fall and which are expected to be studied in the laboratory: films for producing advertising shows; films for photography of images on the television screen, and films for newsreel and related uses where high-speed processing is essential.

T. Gentry Veal, in charge of television research in the laboratory, reports that a survey of audience reactions indicates decided enthusiasm for televised films.

MPAA Board

(*Continued from page* 1)

ica board of directors in New York today.

It was said, however, that there is no definite indication that the board will arrive at any clear-cut conclusions today on administration of the agreement since final details of the tax settlement have not yet been announced by the British.

MPAA European manager F. W. Allport arrived here from London yesterday. Indications are that he will not switch positions with Frank McCarthy, who directs MPAA operations in Paris, as previously considered.

TOA Eyes Nebraska Unit

Ted R. Gamble, Theatre Owners of America president, who arrived in New York yesterday from Portland, will leave here for Omaha on Monday to confer with leaders of the Nebraska Theatre Owners Association, which may soon decide whether it will affiliate with the TOA. Robert Coyne, TOA executive director, will accompany Gamble.

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ERROL FLYNN ANN SHERIDAN

SILVER RIVER

TRADE SHOW MAY 3RD

BIG EXCITEMENT ON ITS WAY from WARNER BROS.

CITY	PLACE OF SHOWING	ADDRESS	TIME
lbany	Warner Screening Room	79 N. Pearl St.	8:00 P.M.
tlanta	20th Century-Fox Sc. Rm.	197 Walton St. N.W.	2:30 P.M.
oston	RKO Screening Room	122 Arlington St.	2:30 P.M.
uffalo	Paramount Sc. Room	464 Franklin Street	2:00 P.M.
harlotte	20th Century-Fox Sc. Rm.	308 S. Church St.	10:00 A.M.
hicago	Warner Screening Room	1307 So. Wabash Ave.	1:30 P.M.
incinnati	RKO Screening Room	Palace Th. Bldg. E. 6th	8:00 P.M.
leveland	Warner Screening Room	2300 Payne Ave.	2:00 P.M.
allas	20th Century-Fox Sc. Rm.	1803 Wood St.	10:00 A.M.
enver	Paramount Sc. Room	2100 Stout St.	2:00 P.M.
es Moines	20th Century-Fox Sc. Rm.	1300 High St.	12:45 P.M.
etroit	Film Exchange Bldg.	2310 Cass Ave.	2:00 P.M.
ndianapolis	Universal Sc. Room	517 No. Illinois St.	1:00 P.M.
ansas City	20th Century-Fox Sc. Rm.	1720 Wyandotte St.	1:30 P.M.
os Angeles	Warner Screening Room	2025 S. Vermont Ave.	2:00 P.M.

CITY	PLACE OF SHOWING	ADDRESS	TIME
Memphis	20th Century-Fox Sc. Rm.	151 Vance Ave.	10:00 A.M.
Milwaukee	Warner Th. Sc. Rm.	212 W. Wisconsin Ave.	2:00 P.M.
Minneapolis	Warner Screening Room	1000 Currie Ave.	2:00 P.M.
New Haven	Warner Th. Proj. Rm.	70 College St.	2:00 P.M.
New Orleans	20th Century-Fox Sc. Rm.	200 S. Liberty St.	1:30 P.M.
New York	Home Office	321 W. 44th St.	2:30 P.M.
Oklahoma	20th Century-Fox Sc. Rm.	10 North Lee St.	1:30 P.M.
Omaha	20th Century-Fox Sc. Rm.	1502 Davenport St.	1:00 P.M.
Philadelphia	Warner Screening Room	230 No. 13th St.	2:30 P.M.
Pittsburgh	20th Century-Fox Sc. Rm.	1715 Blvd. of Allies	1:30 P.M.
Portland	Jewel Box Sc. Room	1947 N.W. Kearney St.	2:00 P.M.
Salt Lake	20th Century-Fox Sc. Rm.	216 East 1st South	2:00 P.M.
San Francisco	Republic Sc. Room	221 Golden Gate Ave.	1:30 P.M.
Seattle	Jewel Box Sc. Room	2318 Second Ave.	10:30 A.M.
St. Louis	S'renco Sc. Room	3143 Olive St.	1:00 P.M.
Washington	Warner Th. Bldg.	13th & E Sts. N.W.	10:30 A.M.

ERROL FLYNN & ANN SHERIDAN in "SILVER RIVER" with THOMAS MITCHELL · BRUCE BENNETT

Directed by RAOUL WALSH · Produced by OWEN CRUMP

Screen Play by Stephen Longstreet and Harriet Frank, Jr.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

First-run operators looking at perfect weather conditions on one hand and grosses on the other unearthed the oldie about the merchant who admitted to the missionary there must be a hell because if there wasn't where had business gone. Estimated receipts for the week ending April 21:

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—GUILD (965) (50c-60c-85c-$1.00). Gross: $7,000. (Average: $7,100)
CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—RITZ (1,376) (50c-60c-85c-$1.00). Gross: $11,000. (Average: $10,300)
CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—IRIS (708) (50c-60c-85c-$1.00). Gross: $7,000. (Average $7,100)
CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—STUDIO (880) (50c-60c-85c-$1.00). Gross: $7,500. (Average: $6,900)
CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—UNITED ARTISTS (2,100) (50c-60c-85c-$1.00). Gross: $15,500. (Average: $15,400)
THE FUGITIVE (RKO Radio-Argosy)—FOUR STAR (900) (50c-60c-85c-$1.00) 4th week. Gross: $5,000. (Average: $11,400)
THE FUGITIVE (RKO Radio-Argosy)—PALACE (1,237) (50c-60c-85c-$1.00) 4th week. Gross: $4,500. (Average: $21,000)
IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists)—EGYPTIAN (1,000) (50c-60c-85c-$1.00). Gross: $10,000. (Average: $13,900)
IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists) — FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00). Gross: $11,000. (Average: $13,800)
IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists)—LOS ANGELES (2,096) (50c-60c-85c-$1.00). Gross: $18,000. (Average: $21,200)
I REMEMBER MAMA (RKO Radio)—HILLSTREET (2,700) (50c-60c-80c-$1.00) 3rd week. Gross: $11,800. (Average: $18,300)
I REMEMBER MAMA (RKO Radio)—PANTAGES (2,000) (50c-60c-80c-$1.00) 3rd week. Gross: $13,500. (Average: $17,300)
LOST HORIZON (Col. Re-release) and ADAM HAD FOUR SONS (Col. Re-release)—MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00) 2nd week. Gross: $3,000. (Average: $4,300)
LOST HORIZON (Col. Re-release) and ADAM HAD FOUR SONS (Col. Re-release)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $9,600)
LOST HORIZON (Col. Re-release) and ADAM HAD FOUR SONS (Col. Re-release)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00) 2nd week. Gross: $3,100. (Average: $5,200)
LOST HORIZON (Col.-Re-release) and ADAM HAD FOUR SONS (Col.-Re-release)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00) 2nd week. Gross: $2,800. (Average: $4,300)
SEVEN SINNERS (E-L-Re-release) and SUTTER'S GOLD (E-L-Re-release)—BELMONT (1,600) (50c-60c-85c-$1.00). Gross: $5,500. (Average: $6,600)
SEVEN SINNERS (E-L-Re-release) and SUTTER'S GOLD (E-L-Re-release)—EL REY (861) (50c-60c-85c-$1.00). Gross: $5,000. (Average: $7,000)
SEVEN SINNERS (E-L-Re-release) and SUTTER'S GOLD (E-L-Re-release)—ORPHEUM (2,210) (50c-60c-85c-$1.00). Gross: $13,000. (Average: $14,300)
SEVEN SINNERS (E-L-Re-release) and SUTTER'S GOLD (E-L-Re-release)—VOGUE (800) (50c-60c-85c-$1.00). Gross: $5,500. (Average: $7,500)
SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox-Reliance)—CHINESE (2,300) (50c-60c-85c-$1.00) 3rd week. Gross: $12,500. (Average: $15,700)
SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th - Fox - Reliance)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 3rd week. Gross: $13,500. (Average: $21,700)
SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox-Reliance)—LOYOLA (1,265) (50c-60c-85c-$1.00) 3rd week. Gross: $9,500. (Average: $10,000)
SITTING PRETTY (20th-Fox) and THE CHALLENGE (20th-Fox-Reliance)—UPTOWN (1,716) (50c-60c-85c-$1.00) 3rd week. Gross: $10,000. (Average: $10,800)
TO THE VICTOR (WB)—WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 2nd week. Gross: $10,000. (Average: $16,300)
TO THE VICTOR (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 2nd week. Gross: $8,000. (Average: $12,400)
TO THE VICTOR (WB)—WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 2nd week. Gross: $8,000. (Average: $12,600)
UNCONQUERED (Para.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 2nd week. Gross: $13,500. (Average: $21,000)
UNCONQUERED (Para.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 2nd week. Gross: $10,000. (Average: $15,000)

PHILADELPHIA

Opening of the baseball season and a nearby race track provided stiff competition for local theatres. Estimated receipts for the week ending April 20-22:

B. F.'s DAUGHTER (M-G-M) — BOYD (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $21,700. (Average: $23,100)
THE BIG CLOCK (Para.)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $18,000. (Average: $12,000)
THE BRIDE GOES WILD (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $18,000. (Average: $22,400)
BLACK BART (U-I)—STANTON (1,700) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $9,700. (Average: $11,900)
THE BISHOP'S WIFE (RKO Radio)—KEITH (2,200) (60c-60c-74c-80c-85c-94c) 2nd run. Gross: $5,000. (Average: $6,100)
I REMEMBER MAMA (RKO Radio)—ERLANGER (1,800) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $15,000. (Average: $18,000)
MIRACLE OF THE BELLS (RKO Radio)—EARLE (3,000) (50c-60c-74c-80c-85c-94c) 4th week. Gross: $21,200. (Average: $24,300)
NAKED CITY (U-I)—STANLEY (3,000) (50c-60c-74c-80c-85c-94c) 4th week. Gross: $17,500. (Average: $20,500)
ROBIN HOOD (WB Re-release)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $2,700. (Average: $6,000)
SITTING PRETTY (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c). Gross: $28,000. (Average: $20,400)
TENTH AVENUE ANGEL (M-G-M) and BILL AND COO (Rep.)—ALDINE (900) (50c-60c-74c-80c-85c-94c). Gross: $4,000. (Average: $13,200)

OMAHA

Near-90 temperatures dented theatre business here, but not enough to pull any first-runs below par. Estimated receipts for the week ending April 21-22:

APRIL SHOWERS (WB) and WESTERN HERITAGE (RKO Radio)—RKO-BRANDEIS (1,100) (50c-65c). Gross: $6,800. (Average: $6,800)
A DOUBLE LIFE (U-I)—OMAHA (2,000) (50c-65c). Gross: $8,700. (Average: $8,600)
RELENTLESS (Col.) and THAT'S MY GAL (Rep.)—STATE (750) (50c-65c). Gross: $6,100. (Average: $5,000)
SITTING PRETTY (20th-Fox)—PARAMOUNT (2,900) (50c-65c). Gross: $11,100. (Average: $10,600)
A WOMAN'S VENGEANCE (U-I)—ORPHEUM (3,000) (55c-80c). King Cole Trio on stage. Gross: $20,200. (Average: $19,800)

MINNEAPOLIS

Opening of the Ice Follies and a weekend of warm weather cut rather sharply into most theatre business. Estimated receipts for the week ending April 22:

A DOUBLE LIFE (U-I)—LYRIC (1,100) the State. Gross: $5,400. (Average: $5,500) (50c-70c) 2nd week, on a moveover from
APRIL SHOWERS (WB)—RKO ORPHEUM (2,800) (50c-70c). Gross: $11,000. (Average: $13,500)
GENTLEMAN'S AGREEMENT (20th-Fox)—RADIO CITY (4,000) (50c-70c) 2nd week. Gross: $13,000. (Average: $17,000)
HELLZAPOPPIN' and ARGENTINE NIGHTS (Realart Reissues)—GOPHER (1,000) (44c-50c). Gross: $3,300. (Average: $3,500)
I REMEMBER MAMA (RKO Radio)—RKO PAN (1,500) (50c-70c) 3rd week, on a moveover from the RKO Orpheum. Gross: $8,500. (Average: $8,800)
SCUDDA HOO, SCUDDA HAY (20th-Fox)—STATE (2,300) (50c-70c). Gross: $12,000. (Average: $11,800)
THE ADVENTURES OF ROBIN HOOD (WB Reissue)—CENTURY (1,500) (50c-70c). Gross: $5,600. (Average: $6,100)

PITTSBURGH

Grosses were off here, four holdovers and two reissues not being conducive to box-office lines. Estimated receipts for the week ending April 22:

BAMBI (Disney-RKO Radio Reissue)—WARNER (2,000) (44c-60c-76c). Gross: $7,500. (Average: $8,000)
DUEL IN THE SUN (Selznick Reissue)—PENN (3,400) (44c-60c-76c). Gross: $14,000. (Average: $15,000)
PANHANDLE (Mono.)—FULTON (1,700) (44c-60c-76c) 2nd week, 4 days. Gross: $5,000. (Average: $9,700)
PRINCE OF THIEVES (U-I)—J. P. HARRIS (2,000) (44c-60c-78c). Gross: $9,500. (Average: $11,000)
THE BIG CLOCK (Para.)—STANLEY (3,800) (44c-60c-76c) 3rd week. Gross: $13,500. (Average: $15,000)
THE BRIDE GOES WILD (M-G-M)—RITZ (1,100) (44c-60c-76c) 2nd week, on a moveover from the Penn. Gross: $5,000. (Average: $3,200)
THE NAKED CITY (U-I)—SENATOR (1,700) (44c-60c-76c) 4 days, 4th week, on a moveover from the Harris. Gross: $5,000. (Average: $3,500)

INDIANAPOLIS

Nothing on the program here this week is strong enough to hold. "Duel in the Sun," playing a return engagement at Loew's, is leading the field, while "To the Victor" is near the season's low at the Indiana. Estimated receipts for the week ended April 20-21:

ALBUQUERQUE (Para.) and SPEED TO SPARE (Para.)—CIRCLE (2,800) (44c-65c). Gross: $11,500. (Average: $10,000)
APRIL SHOWERS (WB) and DEVIL'S CARGO (FC)—KEITH'S (1,300) (44c-65c) 6 days. Gross: $4,700. (Average: $4,500)
DUEL IN THE SUN (Selznick)—LOEW'S (2,450) (44c-65c). Gross: $12,500. (Average: $11,000)
IDEAL HUSBAND (Para.) and LET'S LIVE AGAIN (20th-Fox)—LYRIC (1,600) (44c-65c). Gross: $5,500. (Average: $6,000)
TO THE VICTOR (WB)—INDIANA (3,200) (44c-65c). Gross: $7,500. (Average: $12,000)

PRODUCTIVE OFFICE MANAGER
Call it comptroller or chief accountant, if you will.
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Young man with 20 years of hard-hitting experience. Excellent recommendations.
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Legion of Decency Classifies 7 Features

Four of seven additional features reviewed by the National Legion of Decency have been classified A-I; they are: "The Dead Don't Dream" and "Who Killed Doc Robin," both United Artists; "Shaggy," Paramount, and "Monsieur Vincent" (French) EDIC Productions. Two, "Hatter's Castle," Paramount, and "Here Comes Trouble," UA, were rated A-II.

Siritzky International's "Fanny" (French) was placed in Class B.

Wirth in New Post

Ben Wirth has been appointed head of the Warner-Service Corp., by Harry Kalmine, president and general manager of Warner Theatres. Wirth has been head of the WB real estate department in Philadelphia.

ChicagoDecree

(*Continued from page* 1)

20th-Fox guilty of a decree violation in having granted clearance following Loop runs, the court held that "lawful clearances are not perpetually enjoined in Chicago. When it is made clear that the absolute prohibition upon clearances is no longer necessary to preclude the revival of uniform systems of clearance or arbitrary clearances, the decree may be modified upon appropriate application to the court."

Judge Igoe thus left the door open to a modification of the Jackson Park decree, giving defendants a new ray of hope for relief from a court order many feel is unnecessarily oppressive.

Executives Named Exonerated

In exonerating all individual defendants, Judge Igoe held that the participation of Barney Balaban, Spyros Skouras and John Balaban in the contempts committed by Paramount, 20th-Fox and B. and K., respectively, "was not established." Louis Phillips, Paramount home office attorney, and Otto Koegel, 20th-Fox general counsel, also were completely exonerated.

In addition, the court held "the evidence also failed to prove" that the 20th-Fox and RKO branch managers here "or any other individual respondents bore any responsibility for granting clearances, with but three exceptions: William Gehring, 20th-Fox general sales manager; Jack Lorentz, 20th-Fox Midwest sales manager, and John Balaban, secretary-treasurer of Balaban and Katz. In every instance, however, these officials were merely following the advice of their attorneys. That these individuals acted in good faith and in the belief that they were right in following the advice of counsel, I have no doubt."

In addition to clearance, Paramount was found guilty of having violated the decree by withholding "Unconquered" after its Loop run, even though the picture was shown on a roadshow basis.

No Contempt in 'Amber' Pricing

Double feature bookings employed by the defendants were held not to be in violation of the decree. Also, the court found no contempt involved in the setting of a $1.25 admission price for "Forever Amber" by 20th-Fox, declaring that "the decree only prohibits the distributors from fixing minimum admission prices at which the Jackson Park must play pictures.

The creation of zones for competitive bidding was upheld by the court and Loew's "failure to release pictures does not appear to have been motivated by any desire to violate the decree," the court found.

Continuance of the "Nightmare Alley" run into a third week at the State-Lake was approved by the court because the film was released to outlying theatres the same week.

The court found no contempt charge was sustained against Loew's, Warners and Warner Theatres.

Flash Floods Affect Kentucky Theatres

LOUISVILLE, April 21.—Flash floods and high water played havoc with numerous theatres in the state. Drive-ins, too, were not excluded. In some cases speaker cables were shorted, while others had water in projection rooms, damaging equipment.

We proved it in 3 previous openings—but now BOSTON NAILS DOWN THE EVIDENCE THAT

"The Big Clock" Is A Bigger Hit Than "Dear Ruth"

It wasn't a holiday . . . there was no supporting stage show . . . the Mayor didn't issue a proclamation . . . but it *did* get that famous

PARAMOUNT

radio saturation promotion, and the opening week-end at the Boston Met . . .

TOPPED
"Ruth's" First
Week-end by 65%

TOPPED
"Ruth's" First
2 Days by 150%

DID AS MUCH BUSINESS IN 2 DAYS AS "RUTH" DID IN 5 DAYS

DOUBLED "PERILS OF PAULINE'S" JULY FOURTH WEEK-END

WATCH THAT "CLOCK"

"'The Big Clock' will tick millions into the till!"—says Hedda Hopper

"It's a super whodunit!" says Boston Herald

"It's a humdinger of a movie!" says Buffalo News

"It's swelling the total of HOLLYWOOD'S BETTER PICTURES!" says Hollywood Reporter

RAY MILLAND
CHARLES LAUGHTON
in
"THE BIG CLOCK"
with
Maureen O'Sullivan · George Macready
Rita Johnson · Elsa Lanchester
Harold Vermilyea
Produced by Richard Maibaum
Directed by JOHN FARROW
Screen Play by Jonathan Latimer · Based on the Novel by Kenneth Fearing

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	S.R.O.	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
Feb. 29		MAN FROM TEXAS James Craig D—71 min. (815) (Rev. 3/30/48)	(Feb. Releases) HIGH WALL Robert Taylor Audrey Totter D—99 min. (815) (Rev. 12/17/47) (Reissue) GONE WITH THE WIND (Color) Clark Gable D—220 min. (Rev. 12/13/39)		CAGED FURY Richard Denning D—60 min. (4711) (Rev. 2/19/48)		(Block 2) NIGHT SDNG Dana Andrews D—102 min. (806) (Rev. 11/12/47) DICK TRACY MEETS GRUESOME D—62 min. (809) (Rev. 9/29/47)		(Feb. Releases) YOU WERE MEANT FOR ME Jeanne Crain D—91 min. (802) (Rev. 1/16/48)		(Feb. Releases) A WOMAN'S VENGEANCE Charles Boyer Ann Blyth D—96 min. (634) (Rev. 12/18/47)	I BECAME A CRIMINAL Sally Gray D—78 min. (717) (Rev. 2/10/48)
Mar. 7		THE WESTWARD TRAIL Eddie Dean O—58 min. (855) (Rev. 3/3/48)	TENTH AVENUE ANGEL Margaret O'Brien D—74 min. (816) (Rev. 1/13/48)	ANGELS ALLEY Leo Gorcey D—67 min. (4708) (Rev. 1/22/48)	SAIGDN Alan Ladd Veronica Lake D—94 min. (4710) (Rev. 2/4/48)		SD WELL REMEMBERED John Mills Martha Scott D—114 min. (807) (Rev. 11/29/47)		(Wurtzel) DANGEROUS YEARS William Halop D—62 min. (804) (Rev. 12/16/47)		SECRET BEYOND THE DOOR Joan Bennett Michael Redgrave D—99 min. (627) (Rev. 2/2/48)	(Reissue) ADVENTURES OF ROBIN HOOD (Color) Errol Flynn Olivia de Havilland D—102 min. (718) (Rev. 4/27/38)
Mar. 14	THE RETURN DF THE WHISTLER Michael Duane D—66 min.	THE OCTOBER MAN John Mills D—85 min. (816) (Rev. 3/18/48)	(Mar. Releases) THREE DARING DAUGHTERS (Color) Jeanette MacDonald MC—115 min. (817) (Rev. 2/13/48)			THE INSIDE STDRY Marsha Hunt D—87 min. (305) (Rev. 3/25/48)	WILD HDRSE MESA Tim Holt O—61 min. (808) (Rev. 11/17/47)		CALL NORTHSIDE 777 James Stewart D—111 min. (805) (Rev. 1/21/48)	(Mar. Release) (Enterprise) ARCH OF TRIUMPH Ingrid Bergman Charles Boyer D—120 min. (Rev. 2/18/48)		
Mar. 21	ADVENTURES IN SILVERADD William Bishop D WEST OF SENORA Charles Starrett D	THE ENCHANTED VALLEY (Color) Alan Curtis (Rev. 3/26/48)	ALIAS A GENTLEMAN Wallace Beery C—76 min. (818) (Rev. 2/4/48)	DOCKS OF NEW ORLEANS D—64 min. (4712) (Rev. 3/18/48)	MR. RECKLESS William Eythe D—66 min. (4712) (Rev. 3/3/48)	BILL AND COD (Color) D—61 min. (Rev. 12/26/47) LIGHTNIN' IN THE FOREST Lynne Roberts D—58 min. (Rev. 4/16/48)	DUT DF THE PAST Robert Mitchum D—97 min. (Rev. 11/17/47)		(Mar. Releases) GENTLEMAN'S AGREEMENT Gregory Peck Dorothy McGuire D—118 min. (806) (Rev. 11/10/47		(March-April Releases) A DOUBLE LIFE Ronald Colman Signe Hasso D—104 min. (650) (Rev. 12/24/47)	APRIL SHOWERS Jack Carson Ann Sothern D—94 min. (719) (Rev. 3/10/48)
Mar. 28	SONG OF IDAHO Kirby Grant O THE SIGN OF THE RAM Susan Peters D—84 min. (Rev. 2/2/48)	RUTHLESS Zachary Scott D—104 min. (Rev. 4/6/48)	THE BRIDE GDES WILD Van Johnson June Allyson C—98 min. (819) (Rev. 2/26/48)	(Allied Artists) THE HUNTED Belita Preston Foster D—85 min. (AA5) (Rev. 2/4/48)		CALIFORNIA FIREBRAND (Color) Monte Hale O—63 min. (Rev. 4/21/48)	(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (868) (Rev. 3/9/48)		(Reliance) THE CHALLENGE Tom Conway D—68 min. (807) (Rev. 2/26/48)		THE NAKED CITY Barry Fitzgerald Dorothy Hart D—96 min. (651) (Rev. 1/21/48)	
Apr. 4	MY DOG RUSTY Ted Donaldson D	THE HAWK OF POWDER RIVER Eddie Dean O—54 min. (856) (Rev. 3/11/48)	(Apr. Releases) B. F.'s DAUGHTER Barbara Stanwyck Van Heflin D—108 min. (Rev. 2/17/48)		UNCONQUERED (Color) Gary Cooper Paulette Goddard D—146 min. (4705) (Rev. 9/25/47)		THE MIRACLE OF THE BELLS Fred MacMurray Frank Sinatra Valli D—126 min. (869) (Rev. 3/2/48)		(Wurtzel) HALF PAST MIDNIGHT Kent Taylor D—69 min. (808) (Rev. 2/19/48)		JASSY (Color) Margaret Lockwood Dennis Price D—96 min. (Rev. 2/5/48)	TD THE VICTOR Dennis Morgan D—99 min. (720) (Rev. 3/30/48)
Apr. 11	PORT SAID Gloria Henry D	THE NOOSE HANGS HIGH Budd Abbott Lou Costello C—77 min. (Rev. 4/1/48)	SUMMER HOLIDAY (Color) Mickey Rooney Gloria Henry C—92 min. (Rev. 3/16/48)	CROSSED TRAILS Johnny Mack Brown D	BIG CLOCK Ray Milland D—95 min. (4713) (Rev. 2/16/48)	THE BOLD FRONTIERS-MAN Allan "Rocky" Lane O	FORT APACHE John Wayne Henry Fonda D—127 min. (870) (Rev. 3/10/48)	DUEL IN THE SUN (Color) Jennifer Jones Gregory Peck Joseph Cotten D—132 min. (103) (Rev. 12/31/46)	AN IDEAL HUSBAND (Color) Paulette Goddard D—96 min. (809) (Rev. 1/12/48)	(April Releases) ATLANTIS Maria Montez D—90 min.	(April-May (Releases) BLACK BART (Color) Yvonne de Carlo Dan Duryea D—80 min. (Rev. 1/29/48)	
Apr. 18	THE MATING OF MILLIE Glenn Ford Evelyn Keyes C—87 min. (Rev. 3/9/48)	THE COBRA STRIKES Sheila Ryan D	STATE OF THE UNION Spencer Tracy Katharine Hepburn D—124 min. (Rev. 3/24/48)	CAMPUS SLEUTH Freddie Stewart D		HEART DF VIRGINIA Janet Martin D	THE ARIZONA RANGER Tim Holt O—63 min. (Rev. 3/25/48)		(Block 3) TARZAN AND THE MERMAIDS Johnny Weismuller D—68 min. (813) (Rev. 3/23/48)	(April Releases) SITTING PRETTY Robert Young Maureen O'Hara C—84 min. (810) (Rev. 2/24/48)	LAFF-TIME William Tracy Larry Dison C—112 min. (Rev. 4/16/48)	CASBAH Tony Martin Yvonne de Carlo D—84 min. (Rev. 3/3/48)	WINTER MEETING Bette Davis James Davis D—101 min. (721) (Rev. 4/7/48)
Apr. 25			TARZAN'S SECRET TREASURE (Reprint) Johnny Weismuller D—81 min. (Rev. 11/14/41) TARZAN'S NEW YORK ADVENTURE (Reprint) Johnny Weismuller D—71 min. (Rev. 4/15/42)	FRENCH LEAVE Jackie Cooper Jackie Coogan C (Allied Artists) SMART WOMAN Constance Bennett Brian Aherne D—93 min. (Rev. 3/9/48)	THE SAINTED SISTERS Veronica Lake D—89 min. (4714) (Rev. 3/8/48)	KING OF THE GAMBLERS William Wright D	IF YOU KNEW SUSIE Eddie Cantor Joan Davis C—90 min. (Rev. 1/30/48)		MEET ME AT DAWN William Eythe (C—81 min. (812) (Rev. 3/18/48)	SO THIS IS NEW YORK Henry Morgan C—79 min.	ARE YOU WITH IT? Donald D'Connor Martha Stewart C—90 mi. (Rev. 3/17/48)	(Reissue) VALLEY DF THE GIANTS Wayne Morris Claire Trevor D—78 min. (722) (Rev. 9/12/38)
May 2	BEST MAN WINS Edgar Buchanan C	RAW DEAL Dennis D'Keefe D	(May Releases) THE PIRATE (Color) Judy Garland Gene Kelly D—102 min. (Rev. 3/29/48)			UNDER CALIFDRNIA SKIES Roy Rogers D	WESTERN HERITAGE Tim Holt Nan Leslie O—61 min. (Rev. 1/30/48)		LET'S LIVE AGAIN John Emery D—67 min. (813) (Rev. 2/27/48)	SILENT CDNFLICT William Boyd O—61 min. (Rev. 4/6/48)	DEAR MURDERER Eric Portman Greta Gynt D—84 min. (Rev. 6/20/47)	(Reissue) FIGHTING 69th James Cagney Pat D'Brien D—79 min. (723) (Rev. 1/5/40)
May 9	WHIRLWIND RAIDERS D TRAPPED BY BOSTON BLACKIE D	THE SPIRITUALIST Turhan Bey Lynn Bari D	HOMECOMING Clark Gable Lana Turner D—113 min. (Rev. 4/5/48)		SPEED TD SPARE Richard Arlen D—57 min. (4715) (Rev. 2/24/48)		BERLIN EXPRESS Robert Ryan Merle Dberon D—86 min. (Rev. 4/6/48)		13 LEAD SDLDIERS Tom Conway D		ALL MY SONS Edward G. Robinson Burt Lancaster Howard Duff D—93 min. (Rev. 2/19/48)	WDMAN IN WHITE Eleanor Parker Alexis Smith D—109 min. (724) (Rev. 4/20/48)

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Dram (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]

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SO IT'S HEADLINE NEWS THAT

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And Cast of Thousands

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Theme Timeliness—as Palestine today becomes the world's most dramatic battleground, just as it was in the era of the Crusades. Cities and locales in the latest cable-news spring vividly to life, in this mighty story of a century-old strife that parallels today's fighting action in the Holy Land.

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"In one flaming instant out of time they met..."

Vivien Leigh

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ANNA KARENINA

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with KIERON MOORE SALLY ANN HOWES

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Accurate Concise and Impartial

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AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

VOL. [illegible] NO. 79 — NEW YORK, U.S.A., FRIDAY, APRIL 23, 1948 — TEN CENTS

MPAA Survey Shows 16,880 Theatres Open

U. S. Total Over 18,000 With Part-Time Houses

Release of the New York area directory, last of the series of 31 exchange reports, by the Motion Picture Association, shows that there is a total of 16,880 regularly operated theatres in the United States. In the New York exchange area, the MPAA lists 1,023 theatres operating.

Total number of all accounts served in the United States runs to over 18,000.

Accounts considered by the MPAA include, beyond regular theatres, also part-time resort showings and various "non theatrical" engagements, which affect the total by about 2,000.

The surveys have been released area by area periodically over the past sev-

(*Continued on page* 4)

1,023 Theatres Are Operating in N. Y.

There are 1,023 theatres with a seating capacity of 1,174,342 currently operating in the New York City exchange area, according to the theatre directory which the Motion Picture Association of America is releasing today.

Final MPAA directory in the series of 31, the New York list reveals that 589 theatres are operating in the city.

(*Continued on page* 4)

Daylight Saving Effective Sunday

Daylight Saving Time will become effective at 12:01 A.M. Sunday in those states and municipalities where summer time is on the statute books. It will end in late September.

A bill to nationalize DST is now being considered by Congressional committees, which this week heard protests from exhibitors on the measure.

16 from Para. This Season: Ginsberg

Paramount will produce 16 features this season, exclusive of pictures to be made by Hal Wallis Prod. and two or more which the company may make in Britain for worldwide distribution, Henry Ginsberg, vice-president in charge of production, reported here yesterday.

Ginsberg, who will leave New York for the Coast today, was host at a luncheon at the 21 Club here yesterday, at which Paramount officials and trade paper publishers and editors were guests.

Paramount's studio chief expressed his conviction that production economies on his lot have been achieved without sacrifice of picture quality. Asked whether costs now are at a level at which the aim of realizing profits on domestic distribution alone could be expected, Ginsberg said that cost

(*Continued on page* 4)

Majors Ask Denial of Carpenters' Appeal

WASHINGTON, April 22.—The majors and other interests today asked the Supreme Court to turn down an appeal by 16 members of the carpenters' union from a Circuit Court ruling dismissing their suit for a declaratory judgment to give them certain studio work now performed by IATSE members.

The producers said the entire issue is whether Federal courts have the power to interpret collective bargaining agreements, holding both the Circuit Court and District Court were

(*Continued on page* 4)

Percentage Suits Filed in N. Orleans

NEW ORLEANS, April 22.—Jefferson J. Rebstock, Roy E. Pfeiffer and Rebstock and Pfeiffer are defendants in four separate percentage suits filed here today in Federal Court by RKO, Loew's, Paramount and 20th Century-Fox. Theatres involved are the Tivoli, Istrouma and Avenue in Baton Rouge, and the Rebstock in Golden Meadows.

Harry McCall, Jr., and Chaffe, McCall, Toler and Phillips, New Orleans, are the attorneys for each distributor, with Sargoy and Stein of New York.

Industry Cited for Improved Regulation

Washington, April 22.—Film company presidents and MPAA president Eric Johnston have been commended by the Daughters of the American Revolution, in convention, "for the industry's action in strengthening its system of self-regulation governing picture content, titles and advertising in order to develop fine motion picture entertainment."

20th-Fox's Field Forces Realigned

Elimination of 20th Century-Fox's eight district managers, reported yesterday in MOTION PICTURE DAILY, has resulted in several field changes, Andy W. Smith, general sales manager, announces.

Meanwhile, Howard Minsky, manager of the Mideast division, has been promoted to assistant division manager of an enlarged Eastern division with R. E. Moon named division manager, as reported.

Changes resulting from the elimination of the district posts follow:

In Boston, Ed Callahan becomes manager and Jim Connolly, sales manager; John Feloney, formerly sales manager, remains on the staff. In Washington, Glenn Norris becomes branch manager, with Gordon Contee as sales manager.

In the Southern division, Paul Wilson becomes assistant division manager under Harry G. Ballance, at Atlanta, and Phil Longdon becomes branch manager in Dallas. In the Central division, H. L. Beecroft was promoted to assistant division manager, under Jack Lorentz, Chicago. Beecroft was formerly branch man-

(*Continued on page* 4)

Plan a Code for Films in Television

Television interests here will meet in two weeks to form a permanent television-film coordinating organization to set up a code of practice. Melvin L. Gold, advertising manager of National Screen, will be chairman of the meeting, at which representatives of television and film companies, television stations and advertising agencies will attend.

Billings Will Decide Split Of U. K. Cash

Definition of 'British Interests' Undecided

American industry interests agreed yesterday on division of remittable British earnings under the *ad valorem* tax settlement agreement on the basis of individual company billings in Britain.

The agreement was reached at a joint meeting of members of the Motion Picture Association and M. P. Export Association here. Remaining to be agreed upon is a definition of "British interests" in relation to the dollar pool to be established by British earnings in this market to be added to the $17,000,000 remittable an-

(*Continued on page* 4)

BOT Plans to Lift UK Tax on June 4

LONDON, April 22.—The British *ad valorem* film import tax will be officially lifted May 3, effective June 4, according to present Board of Trade plans. After that date, films may be imported from the dollar areas, under license.

Blanket licenses will be issued to importers in the United Kingdom and separate licenses will be issued to each American exporter from whom UK importers obtain their films.

Licenses, however, will not be

(*Continued on page* 4)

Move to Quiet Pact Critics in Britain

LONDON, April 22.—Harold Wilson, president of the Board of Trade, disclosed today that further explanation of the provisions of the *ad valorem* tax agreement will be published here next week in the BOT's official journal in answer to additional criticism of the premature publication of the terms of the pact in the U. S.

The House of Commons was again

(*Continued on page* 4)

"a comedy natural!" ...TIME S.R.O.'s
"Mr. Blandings builds his Dream House" S.R.O.

Personal Mention

MYRNA LOY will attend the annual International Conference of the United Nations in Geneva in September as an official observer.

•

ADELE WHITELY FLETCHER, editor of *Photoplay*, will leave here tomorrow for Hollywood. PEGGY THORNDIKE, *Photoplay* fashions editor, will accompany her.

•

I. E. LOPERT, president of Lopert Films, will leave New York next Thursday on the *SS Queen Elizabeth* for Rome and Paris.

•

ORTON H. HICKS, director of Loew's International 16mm. department, will leave here Monday by plane for London and the Continent.

•

R. M. SAVINI, Astor Pictures president, has returned to New York from a trip through the South.

•

NORMAN D. OLSEN, SR., DeVry export manager, has left Chicago by plane for South America.

Brooklyn 'IA' Local Observes 60th Year

The Brooklyn stagehands' union, IATSE Local No. 4, celebrated its 60th anniversary at Brooklyn's St. George Hotel last night in conjunction with the bi-annual dinner of the IATSE 10th district, which covers New York State.

Invited speakers included Vincent R. Impellitteri, president of the City Council; Thomas A. Murray, president of the New York State Federation of Labor; Rev. Francis A. Growney of Buffalo, and Richard F. Walsh, "IA" international president, who is also president of Local No. 4. Thomas Murtha, 10th district president and the local's business agent, was toastmaster. Industry, state and city officials attended.

Seven Committees for N. J. Allied Meeting

Wilbur Snaper, chairman of New Jersey Allied's 29th annual convention, to be held June 28-30 at the Hollywood Hotel, West End, N. J., has named seven committes to assist him.

Committee chairmen are: reception, Haskell Block; working, Clark Hildinger; convention, Harry Lowenstein; gifts, Louis Gold; entertainment, A. Louis Martin; golf, Lee Newbury; ladies, Mrs. Harry Lowenstein.

Reeder to Ad Agency

John F. Reeder, vice-president and general manager of Walt Disney Productions, has resigned to re-enter the advertising agency business as vice-president of LaRoche and Ellis which has offices in New York and Chicago and will open a Los Angeles office with Reeder in charge. Disney has assigned its ad account to the new office.

Insider's Outlook

By RED KANN

J. ARTHUR RANK wanted to know, and they told him. He wanted information on the play-off potential of British pictures in this market now that it is to the advantage of distributors to rake in all the dough they can under the Anglo-American tax agreement. That's how that general meeting, the existence of which was denied, came about on Tuesday.

It ended on a note of continued cooperation, of course. And, while there was nothing in the way of information or opinion that could have swelled the sum total of Rank's prior knowledge, a couple of slants ought to make pretty lively reading.

■

Grad Sears, indulging an old habit, perhaps was bluntest of all the top-kicks in attendance. He made it very evident that widespread acceptance of English films in this market was difficult to achieve. Paraphrasing, he said: "Dialogue and inflection are hard to get across. The public here won't buy as it has been getting it. Don't forget, too, we make plenty of lousy pictures on this side and the public won't buy them, either. There are some we can't even give away."

Rank assured his audience he is trying to improve the quality of his product all the time. He was urged in what was pretty much of a cross-section of American opinion present to develop greater star values and, therefore, interest. In effect, Rank was informed James Mason and Margaret Lockwood are all right, but not enough.

■

When it came around to cooperation, or lack of it, on the part of the major circuits, Nate Blumberg went specific and mentioned Paramount. Leonard Goldenson, quick on the rebuttal, challenged this by pointing out that Paramount here in New York booked no product but that its partners, well entrenched and nicely scattered around the United States, had been encouraged to go along. Paraphrasing again, he said: "If you know of any situations where this is not being done, let us know."

On his feet and equally quick on the draw was Bill Scully with, "I'll be around to see you tomorrow morning."

■ ■

The general trend among distributors has been to reduce the size of territories handled by division managers. Some years ago it was standard equipment to have two, one for the East and another for the West. Then the pattern expanded to embrace three, four and, in some instances, five.

The revamping at 20th-Fox is a departure with the consolidation of Mideast and East under Ray Moon, who will be responsible now for 12 branches. Geographically, this is probably the largest single division in the country among all companies and, at the same time, the most important to 20th-Fox from a revenue approach. Moon's round dozen will account for about 50 per cent of the domestic gross.

■ ■

"Why is Myer Schine so active in the hotel business [he now controls seven, from Maine to Florida]?", was a question asked at the Variety Club International convention at Miami Beach last week.

Said someone who claims to have heard it drop from Schine's own lips: "Well, if the Government takes my theatres away. . . ."

■

Jack Rose of Chicago made a pitch for the 1950 convention. He put on quite a sales talk, extolling his home town's attractions. "Chicago," he pointed out, "is where legitimate theatres have their live actors and motion picture theatres their lawsuits."

But San Francisco won out, as everyone had anticipated. When the vote was in, including Los Angeles, Bob O'Donnell observed, "This is the first time Southern and Northern California ever got together on anything."

■

O'Donnell, forgetting he no longer is a juvenile, threw out his right arm playing jai-alai. "Don't worry," said Max Cohen, "the distributors will teach him to sign left-handed."

"You're wrong," said someone else, "distributors have already tried."

■ ■

No doubt it is according to contract. But it is amusing anyway how Ivan Jandl, remarkable child actor, gets last billing in Metro's newspaper advertising on "The Search."

He is the heart of a superb film. That's all.

Delinquency Film Sponsored by TOA

Production will get underway at RKO Pathe Studios here next week on a two-reeler sponsored by Theatre Owners of America as the first step in a campaign against juvenile delinquency.

Titled "Report for Action," the picture, according to Charles P. Skouras, national chairman of TOA's youth campaign, is being made at the request of the U. S. Justice Department and the National Conference on the Prevention and Control of Juvenile Delinquency.

Foundation May Get Two Administrators

First step to be taken by trustees of the Motion Picture Foundation in arranging for a paid supervisor of operations will be to name at their May 11-12 New York meeting a committee charged with selecting both an administrator and perhaps an assistant, it was indicated here yesterday by an MPF spokesman. He added, however, that it may be "quite some time" before MPF operations will require such supervision.

Disney Film at Astor

Walt Disney's "Melody Time," RKO Radio release, will follow "Mr. Blandings Builds His Dream House," now current, at the New York Astor.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer Katharine Van
TRACY HEPBURN JOHNSON
Angela Adolphe Lewis
LANSBURY MENJOU STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS. • GEORGE KIRBY
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

RUSSELL JANNEY'S "THE MIRACLE OF THE BELLS"
starring FRED MacMURRAY
Valli
FRANK SINATRA
Released by RKO RADIO PICTURES
RIVOLI B'way at 49th St.

JUNE HAVER
SCUDDA-HOO! SCUDDA-HAY!
Color by TECHNICOLOR
A 20th Century-Fox Picture
On Stage ED WYNN HOLLACE SHAW DICK & DOT REMY THREE ROCKETS Davis CUNNINGHAM
ROXY 7th Ave. & 50th.

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"In the well-balanced program that has distinguished the production efforts of 20th Century-Fox for the past year, there comes now an intriguing, action-packed drama of the West whose boxoffice value will match its entertainment quota."

—*Hollywood Reporter*

FURY AT FURNACE CREEK

Starring

VICTOR MATURE
COLEEN GRAY

with

GLENN LANGAN
REGINALD GARDINER

Albert Dekker • Fred Clark • Charles Kemper
Robert Warwick • George Cleveland • Roy Roberts
Willard Robertson • Griff Barnett

Written by Charles G. Booth • Additional Dialogue by Winston Miller • Suggested by a Story by David Garth

"TOP-GRADE!" —*M. P. Daily*

"CAN'T MISS!" —*Hollywood Variety*

"STAND-OUT!" —*M. P. Herald*

"STRONG APPEAL!" —*Variety*

20th CENTURY-FOX

Strausberg at Helm Of UJA Theatre Unit

Sol Strausberg of the Interboro Circuit here has been appointed chairman of the exhibitors committee for the United Jewish Appeal campaign in Greater New York by S. H. Fabian, head of the drive in the amusement industry.

Members of the exhibitors committee are: Harry Brandt, William Brandt, Leo Brecher, Max A. Cohen, Edward Fabian, Emanuel Frisch, Philip F. Harling, Julius Joelson, Harry M. Kalmine, Malcolm Kingsberg, Arthur L. Mayer, Dan Michalove, Samuel Rinzler, Samuel Rosen, Edward Rugoff, Walter Reade, Jr., Fred J. Schwartz, Joseph M. Seider and David Weinstock.

16 from Para.

(*Continued from page* 1)

is not the sole factor in determining that. He implied that he could not foretell individual picture grosses but that reduced costs on quality pictures improved the chances of the objective being attained.

Adolph Zukor, Paramount board chairman, back in New York after more than two months on the West Coast, paid tribute to the studio organization and its success in making good pictures at reasonable costs. Forthcoming Paramount product, he said, is the best he has seen at the studio in the past 15 years.

Zukor opened a discussion of the industry role of the trade press, commending it for its accomplishments and influence and suggesting further contributions which he believes it can make to industry welfare. He urged better industry support of the trade press, asserting that current and forthcoming product requires sustained campaigns, primarily in the trade press, to establish the proper "impact."

Paul Raibourn, Paramount vice-president in charge of television, replying to a question, said the company would make pictures especially for television when the market is there. He added subsequently, in paying tribute to the company's studio organization, that when it requires quality product for television Paramount will look to its own studio.

Shupert, Dickinson, Balaban Promoted

George T. Shupert, executive assistant to Paul Raibourn, Paramount Pictures television vice-president, has been named director of commercial television operations. Raibourn has also advanced John Dickinson, in the same company division, to national sales representative of video station KTIA, Los Angeles, and Eastern representative of WBKB, Chicago. At the same time he promoted Burt Balaban to manager of the television film department.

Arch Replica in Parade

When the children's parade starts along Broadway this morning to open the American Overseas Aid-United Nations Appeal for Children, six children who arrived here yesterday from France will accompany an eight-ton replica of the Arch of Triumph mounted on a truck along the line of march. The replica is the one used in Enterprise's production of that name which, at a benefit premiere Monday at the Globe Theatre, yielded approximately $15,000 for the AOA-UNAC drive.

U. K. Split

(*Continued from page* 1)

nually under the agreement. Further meetings will be held on this subject.

The remittable division agreed upon will be at monthly intervals adjusted subsequently on the basis of annual British billings of each participant.

Johnston Reelected MPAA Head; Yates, Black, Ritchey on Board

Officers of the Motion Picture Association of America, including Eric Johnston, president, were reelected at the annual board meeting here yesterday. Fred W. DuVall, assistant treasurer, was elected treasurer and Sidney Schreiber, general counsel, was elected secretary. Retirement of George Borthwick was announced at the meeting. The board adopted a resolution commending Borthwick, who had been on a leave of absence, for his long service.

Additional officers named by the board are Stanley Weber, assistant treasurer; John McCarthy, assistant secretary, and James S. Howie, assistant treasurer and assistant secretary in the Hollywood office.

Herbert J. Yates and Theodore R. Black of Republic and Norton V. Ritchey, Allied Artists, were elected to the board.

Two changes were made in standing committee chairmanships: John J. O'Connor, Universal, succeeded Barney Balaban, Paramount, as head of the solicitations committee, and Stewart McDonald, Warners, replaced Donald Henderson, 20th-Fox, as chairman of the research unit.

BOT Plans

(*Continued from page* 1)

granted to American exporters until each individual exporter signs an agreement with the Board of Trade binding him to adhere to the present tax agreement and any subsequent modification thereof. This agreement may be signed under power of attorney by the exporters' representatives here or, presumably, executed in America before the local British Consul, although the latter method is not yet fully determined.

The Board of Trade is currently preparing the text of this agreement.

British Pact Critics

(*Continued from page* 1)

reassured by Wilson that the government would veto the use of blocked sterling by U. S. film companies to acquire studios in the United Kingdom that might prove prejudicial to the interests of British production.

Carpenters' Appeal

(*Continued from page* 1)

right in throwing out the suit for lack of jurisdiction. They asked, therefore, that the carpenters' petition for Supreme Court review be denied.

A brief was submitted by Homer I. Mitchell for Loew's, Paramount, Warners, Columbia, Samuel Goldwyn, Republic, Hal Roach Studios, Technicolor, 20th Century-Fox, RKO, Universal and the Motion Picture Producers Association. IATSE still has not submitted its answer.

Bogeaus Plans 2 in UK

HOLLYWOOD, April 22. — Benedict Bogeaus plans to sail for England on June 2 to prepare for the production of two features there.

Answer Critics at ANFA Meet Today

The 16mm. industry will answer its critics today in the second session of the annual convention of the Allied Non-Theatrical Film Association at the Hotel New Yorker. Taking part will be representatives of film libraries, distributors, and others.

Chairman will be S. C. Atkinson of Canada's General Films. Others will include: Jacques Kopfstein, Astor Pictures; Ellis Smith, DeLuxe Laboratories; Saul Jeffee, Movielab Laboratories, and Fletcher Smith, Lee Jones, Bertram Willoughby, J. P. Lilley, V. J. Middleton, Bert Abrams and R. V. Haile.

20th-Fox Realigns

(*Continued from page* 1)

ager in Dallas. Tom Gilliam resumes as branch manager in Chicago. In Minneapolis, M. A. Levy becomes branch manager and J. S. Cohan, formerly manager, remains on the staff.

In the Western division, Buck Stoner has been promoted to assistant division manager under Herman Wobber, at San Francisco. Charles Walker, formerly district manager in Salt Lake, becomes branch manager there, and Clyde Blasius, formerly manager, remains on the staff.

In Milwaukee, Joe Woodward has resigned, and will be replaced by Joe Neger. Neger returns as branch manager in Milwaukee, from a similar post in Chicago. Yesterday MOTION PICTURE DAILY reported Neger would remain in Chicago as a salesman.

In Seattle, Chilton Robinett, who has been acting branch manager in place of Frank Drew, who has been ill, now is officially manager in that city.

16,880 Open Theatres

(*Continued from page* 1)

eral months. Eric Johnston, president of the MPAA, set up the research department under Robert Chambers for the purpose of assembling reliable statistics for the industry.

This represents the completion of the first major statistical research by the reorganized association. Other reports and studies, extending into lands overseas, are projected.

1,023 N. Y. Theatres

(*Continued from page* 1)

seating 723,243, an average of 1,228 per house.

Of the total number of 1,108 theatres in the territory (the higher figure includes closed houses), 710, or 64.1 per cent, are circuit-operated (a circuit being defined as four or more theatres under the same management). With a capacity of 946,451, circuit theatres account for 75.9 per cent of the total capacity of the area.

Newark and Jersey City currently have 60 in operation, with 76,916 seats, an average of 1,282 per theatre.

Wage Increases for DuMont Workers

Wage increases for DuMont production and clerical workers were announced here yesterday by Allen B. DuMont, president. Company policy, stated DuMont, is "to establish wage rates as high or higher than the average for the area or the industry."

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BOSTON

Continued fair but cool weather helped keep most grosses well up to average, except hold-overs, the fourth week of "I Remember Mama" and the second week of "The Big Clock" falling below average. Estimated receipts for the week ended April 21:

ALBUQUERQUE (Para.) and CAGED FURY (Para.)—FENWAY (1,700) (40c-80c) Gross: $5,200. (Average: $5,300)

ALBUQUERQUE (Para.) and CAGED FURY (Para.) — PARAMOUNT (1,700) (40c-80c). Gross: $14,100. (Average: $14,500)

ARE YOU WITH IT? (U-I) — BOSTON (2,900) (50c-$1.10). With a stage show. Gross: $26,000. (Average: $28,500)

THE BIG CLOCK (Para.)—METROPOLITAN (4,736) (40c-80c). Gross: $26,500. (Average: $28,500)

HIGH WALL (M-G-M) and ALIAS A GENTLEMAN (M-G-M)—ORPHEUM (3,900)*(40c-80c). Gross: $21,000. (Average: $24,200)

HIGH WALL (M-G-M) and ALIAS A GENTLEMAN (M-G-M) — STATE (2,900) (35c-80c). Gross: $14,000. (Average: $14,500)

I REMEMBER MAMA (RKO Radio)—MEMORIAL (2,900) (40c-80c). Gross: $19,000. (Average: $27,000)

B.&K. Apollo Goes on 2-Weeks Basis May 6

CHICAGO, April 22.—Balaban and Katz's Apollo Theatre will join seven other Loop houses already limited to two-week engagements under the decree in the Jackson Park case when "Gentleman's Agreement" terminates a 25-week run there on May 6. Its next attraction has not been set.

"Agreement" is being offered to outlying houses for immediate bookings following the Apollo run.

'Years' Opens Big at Regular Scales in Hub

BOSTON, April 22.—Samuel Goldwyn's "Best Years of Our Lives" opened its regular release run at popular prices at the Astor Theatre here today with a gross of $3,000 and long waiting lines all day. Price scale ranged from 50 cents at the opening to 85 cents at night.

Favorite Opens H. O.

Home offices have been opened here by Favorite Films Corp., headed by Moe Kerman.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 80 | NEW YORK, U.S.A., MONDAY, APRIL 26, 1948 | TEN CENTS

7,442 Buyers For 16,880 U. S. Theatres

647 Circuit Purchasers, 6,795 Non-Circuit

An analysis by MOTION PICTURE DAILY of the 31 exchange area directories issued by the Motion Picture Association of America shows that a grand total of 7,442 individuals or companies sign contracts for the 16,880 theatres in regular operation in the United States.

Some 647 independent and affiliated circuits, each of four or more theatres, purchase for a total of 8,605 theatres and 6,795 individuals or companies purchase for the 8,275 non-circuit theatres. The average circuit contract signer buys for 11,206 seats while the average non-circuit buyer buys for 622 seats.

Total seats in the regularly operat-

(*Continued on page* 4)

Goldwyn Bids Profit Sharing for Writers

Samuel Goldwyn recommends the abolition of the salary system for a majority of screen writers, simultaneously offering them a share in the profits of pictures for which they write screenplays.

In an article appearing in *The Screen Writer*, Screen Writers Guild publication, Goldwyn urges Holly-

(*Continued on page* 4)

2-Day Republic Sales Parley in Chicago

CHICAGO, April 25.—James R. Grainger, Republic distribution chief, presided at the opening session today of a two-day sales meeting at the Blackstone Hotel. Edward L. Walton, assistant sales manager, who accompanied Grainger from New York, will return to that city after the parleys, while Grainger will continue on to Denver, San Francisco and Los Angeles, returning to the home office about May 15.

SIMPP Probing Buying Combines

Society of Independent Motion Picture Producers is conducting an intensive legal study of operations of leading independent buying and booking combines in key areas throughout the country to determine whether restraint of trade, coercive or discriminatory practices exist.

Robert J. Rubin, general counsel of SIMPP, is conducting the study. On its conclusion he will prepare a report with recommendations for the SIMPP's board of directors. Decision will be made at that time whether grounds for legal action against the combines exist and, if so, whether or not the Society should bring actions.

Prior to his departure from New York for his West Coast headquarters on Friday, Rubin declined to

(*Continued on page* 4)

BMI Does Not Plan To Tax Theatres

WASHINGTON, April 25.—Allied States Association general counsel Abram Myers announced here on Friday that he had been assured by Broadcast Music, Inc., it does not contemplate collecting public performing royalties from motion picture theatres.

Myers released an exchange of letters with Carl Haverlin, BMI president. Haverlin said there is nothing to justify any assumption a "change in BMI's policy with respect to the clearance of film music at the source is under contemplation."

Allied States circulated the report of a BMI theatre music tax in its last organizational bulletin.

Balaban, Warners In Stock Deals

WASHINGTON, April 25.—Paramount president Barney Balaban has given 1,200 shares of Paramount common to the B. and T. Association, Inc., leaving him with 1,400 shares, according to a Securities and Exchange Commission report on trading by company executives and officers. Balaban also holds $2,000,000 in Paramount 2¾ per cent convertible notes,

(*Continued on page* 4)

20th-Fox, RCA Work On Theatre Video

Twentieth Century-Fox has entered into an agreement with RCA under which both are working to perfect large screen theatre television, Spyros Skouras, 20th-Fox president, informs stockholders of the company in his annual report.

The report states that a television department has been established as a branch of the company's research division.

Capital Speculates Over Trumbo Jurist

WASHINGTON, April 25.—Trial of Dalton Trumbo, second of the 10 Hollywoodites cited for contempt of Congress during the House Un-American Activities Committee's hearings here last fall, is slated to get under way in District Court here tomorrow, with the key question of the moment being what judge will be assigned to the case.

If the case draws someone other than Judge Curran, who presided over the trial of John Howard Lawson, the Trumbo case may go very differently from the Lawson proceedings. Defense attorneys might succeed in efforts to go into the questions of the House committee's attempts to "dominate" the film industry, what constitutes "un-Americanism," and whether the House sub-committee which carried on the Hollywood hearings was legally constituted.

M-G-M's Louis B. Mayer has again been subpoenaed by defense attorneys, along with members of the House committee and other witnesses.

On Friday, counsel for Lawson filed a motion for a new trial.

May 3 Hearings for Reciprocal Program

WASHINGTON, April 25.—A House Ways and Means sub-committee will hold brief, closed hearings starting May 3 on President Truman's request for a three-year renewal of the reciprocal trade program, and hopes to have a bill through the House and to the Senate by May 15, according to sub-committee Chairman Gearhart.

Likeliest bet is a one-year extension of the act.

20th-Fox Net For 1947 Was $14,003,640

Has $25,000,000 3-Year Bank Credit

Twentieth Century-Fox reports consolidated net profit of $14,003,640 for 1947, which compares with net profit of $22,619,535 for the preceding year.

The company's profit for 1947 was its second highest in the past five years.

Income for 1947 dropped to $186,267,980 from $196,749,249 the preceding year. Company said the decline is accounted for principally by a drop in theatre receipts last year of $5,650,000 and a reduction in film rentals of $4,350,000. Of the latter amount, $4,200,-

(*Continued on page* 2)

MGM Heads Discuss Production Abroad

Louis B. Mayer, head of M-G-M production in Culver City; E. J. Mannix, his executive assistant, and Ben Goetz, in charge of British production, will arrive in New York this morning from the Coast for conferences with Nicholas M. Schenck, president of Loew's, on plans for M-G-M production in Europe.

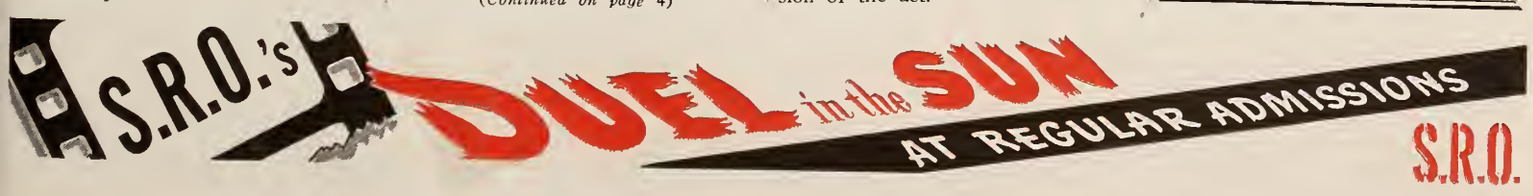
Following discussions with Schenck,

(*Continued on page* 4)

Set Minimum Air Shipment Rates

Washington, April 25.—Civil Aeronautics Board has set minimum rates for air shipment of films and other freight at 13 to 16 cents a ton-mile.

Under the order, all air cargo operators must charge at least 16 cents a ton-mile for the first 1,000 ton-miles in any one shipment, and at least 13 cents a ton-mile for all excess ton-miles in that shipment.



Personal Mention

TOM CONNORS will open headquarters here this morning in the Astor Hotel.

•

EDWARD L. HYMAN, Paramount Theatres vice-president, and JOSEPH J. DEITCH, company executive, are are due back here today from Kansas City, Phoenix, San Francisco and Salt Lake City.

•

JEAN HERSHOLT, president of the Motion Picture Academy of Arts and Sciences, left Hollywood over the weekend for New York, en route to Scandinavia. He is due back in July.

•

GEORGE BELL, manager of the Skouras Brook Theatre, Bound Brook, N. J., has been elected president of the Interboro Chamber of Commerce in that town.

•

BEN KALMENSON, Warner distribution chief, and MORT BLUMENSTOCK, advertising-publicity head, will return here today from Dallas.

•

ERIC A. JOHNSTON, Motion Picture Association president, returned to Washington from New York at the weekend.

•

JULES LEVEY, independent producer, will sail for New York Friday on the *SS Queen Mary* from Europe.

•

BING CROSBY arrived in New York at the weekend from the Coast to join MRS. CROSBY.

•

HENRY GINSBERG, Paramount studio head, left here over the weekend for Hollywood.

Appeal for Children Is Made by Skouras

A staggering emergency facing the children of Europe was described by Spyros P. Skouras, chairman of the New York City Committee of the United Nations Appeal for Children, speaking at the Central Park Mall following a parade on Broadway Friday.

Plan Theatres in Neb., Dakota; One Reopens

OMAHA, April 25.—Adolph Rozanek, exhibitor of Crete, Neb., announces that construction will begin May 1 on a new theatre at David City. In addition, Roy Mundin has plans for a new house at Winner, S. D.

The Garden Theatre, Nebraska City, which was closed during the winter, has reopened.

Fox Executives in Video

DENVER, April 25.—Frank H. Ricketson, president of Fox Intermountain Theatres; Harry Huffman, Denver city manager, and Albert J. Gould, company attorney, have organized Aladdin Television Co. and have filed for television license.

Clarify Plans for Lifting British Tax

LONDON, April 25.—When the British government removes the *ad valorem* tax officially on May 3, as planned, U. S. film imports held in bond here will be free for exhibition immediately after exporters execute the documents binding them to abide by the provisions of the tax settlement agreement as reached by British Board of Trade president Harold Wilson and Motion Picture Association of America president Eric A. Johnston, official sources report here. The agreement, however, is scheduled to be effective June 14.

Previous reports that the effective date will be June 4 were said to have arisen as a result of estimations as to the time which would be consumed in the execution of the binding documents.

Candidates for ATS Posts Announced

Charles J. Durban heads the list of candidates selected by the American Television Society's nominating committee for the organization's annual election, to be held here on Thursday. Other candidates are: Halsey V. Barrett, for the vice-presidency; Emerson Yorke, secretary, and Arch U. Braunfeld, treasurer.

Nominated for the board are: Don McClure, Edward Sobol, Paul Mowery, George Moskovics, B. O. Sullivan, George Shupert, Charles Alicoate, Warren Caro and Russell Woodward.

Murtha Heads Labor Committee for UJA

Tom Murtha, head of Local No. 4, IATSE, will head the crafts committee of the New York entertainment field for the United Jewish Appeal. Si Fabian is head of the amusement division.

Murtha's committee includes Clarence Derwent, Oliver Saylor, Milton Weintraub, Morrie Seeman, James Murphy, Aaron Schneider, Herman Gelber, Herman Boritz and May Ruppert.

Pickets Granted Stay

WASHINGTON, April 25.—Supreme Court Justice Douglas has granted a stay of sentence to 35 pickets arrested during a strike at Columbia studios, Hollywood, in November, 1946. The stay is effective until the court acts on an appeal which the pickets may file before June 21. Five were given jail sentences and 30 fined for violating a restraining order limiting picketing activities.

George M. Young, 75

PHILADELPHIA, April 25.—Funeral services were held here Friday for George M. Young, 75, former theatre manager. In 1914 he was publicity manager for B. F. Keith's Theatre here and in 1921 he became its house manager. He also managed the Garden Pier and Globe, Atlantic City; Adelphia, Philadelphia; Woods, Chicago, and Alvin, Pittsburgh.

Offer Deal on Screen Time in Netherland

Reports in Hague film circles are that U. S. distributors, to meet the Dutch dollar crisis which has brought about a reduction of playing time for American pictures in Holland, will propose an increase in screen time, with payments in excess of dollar quotas being made in Dutch currency, it was disclosed here at the week end by the Aneta (Dutch) News Agency.

Playing time for American films in Holland has been cut to a maximum of eight weeks and a minimum of six for the period from February 27 to August 27 of this year, as against 14 weeks for the previous six months. The reduction was announced in The Hague by the Netherlands Cinema Association.

Trumans at Opening Of Capital First-Run

WASHINGTON, April 25.—First Lady Bess Truman and daughter Margaret head a list of Washington notables slated to attend the opening Tuesday night of Washington's newest downtown first-run, the Playhouse.

The first-night performance will be a special benefit for Washington's National Symphony Orchestra with M-G-M's "The Search," the theatre's first booking. The 450-seat house is owned by Ilya Lopert and Louise Noonan Miller.

Order Cuts Made in UK Gangster Picture

LONDON, April 25.—After viewing "No Orchids for Miss Blandish," gangster film which has been assailed by newspapers here as unfit for public showing, the London County Council has ordered cuts which in the Council's view will eliminate "the most objectionable features." Produced in Britain by James George Minter's Renown Pictures, the picture had been approved by the British Board of Film Censors.

If the cuts are not made by tomorrow, public showings will be prohibited in London. Minter is now making the cuts, but expects Paramount's Plaza here, where the film is showing, to do record business before the deadline.

20th-Fox Net

(*Continued from page* 1)

000 was attributed to foreign operations with the British market alone accounting for approximately $3,560,000.

The report shows current assets of $106,527,968 and current liabilities of $28,887,694. Current assets include $32,589,689 cash and $8,162,570 in governmental securities. Inventories total $53,834,094, an increase for the year of $1,135,314.

Spyros Skouras, 20th-Fox president, reports that the company entered into a credit agreement with a group of banks last September giving it the right to borrow, at an interest rate not to exceed two per cent, up to $25,000,000 through Sept. 15, 1950. The company has borrowed $5,000,000 under the agreement.

Newsreel Parade

ATTEMPTS on the life of Walter Reuther, 16 nations signing the Marshall Plan pact, and the Variety Club award to Secretary of State Marshall are current newsreel highlights. Other items of national and international significance as well as sports and human interest round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 33—Mystery shooting of Walter Reuther. Foreign affairs: ERP nations sign charter in Paris; DeGaulle addresses waterfront throng in Marseilles. News of the Nation: Four American submarines leave New London, Conn., for Turkey; war planes are reconditioned at Kelly Field, Texas. Variety Clubs hail Marshall, hear Stassen. Sports: Giant-Dodgers; harness-racing at Santa Anita.

NEWS OF THE DAY, No. 267—Union leader Reuther shot. Sixteen Marshall Plan nations tighten bonds. DeGaulle invades Red stronghold. Variety Clubs pay honor to Marshall. Triplets convention. U. S. submarines sent to Turkey. Navy helicopters in mass flight.

PARAMOUNT NEWS, No. 70—News along the skyways: Air Forces' stockpile in Texas; crosswind landing gear introduced. Variety Clubs honor Marshall. America sends submarines to Turkey. Reuther shooting. One hundred thousand hear DeGaulle attack Soviet.

UNIVERSAL NEWS, No. 137—Sixteen nations sign Marshall Plan pact in Paris. U. S. submarines presented to Turkish navy. Mass helicopter flight at Lakehurst, N. J. Variety Clubs' award to Gen. Marshall. Motion picture country hospital dedicated. Three-year-old swimmer shows skill. Celebrities' golf match at White Sulphur Springs.

WARNER PATHE NEWS, No. 72—Italians hail Communist rout. Jews capture Arab stronghold. People in the news. Triplets in big get-together. Massed helicopters. Smallest plane. Fashions in "nighties." Great Americans: James Monroe.

Para. to Hold Chicago Meeting May 24-26

CHICAGO, April 25.—Paramount will hold a three-day meeting of its Central division at the Knickerbocker Hotel here beginning May 24. J. J. Donohue, Central division sales manager, will preside.

'Twist' 1st Pre-selected

"Oliver Twist" will be the first release in the U. S. and Latin America by Eagle-Lion under the recently-consummated "pre-selection" plan devised by E-L and J. Arthur Rank.

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TRADE PRESS TIP-OFF FOR A TIMELY HIT!

"Sure-fire boxoffice . . . melodrama comparable with the best." — FILM DAILY

"First-rate melodrama . . . superb touches of realism and on-the-spot background photography." — M. P. DAILY

"Fast melodrama backed by solid cast and authentic backgrounds . . . might ride headlines into the boff B.O. class." — VARIETY

"First-rate mystery thriller . . . Strong cast . . . Background shots outstanding." — BOXOFFICE

"Exciting melodrama . . . most of the film was made on the scene—Paris, Frankfurt, Berlin . . ." — M. P. HERALD

"Exciting . . . well made and maintains interest on high . . ." — THE EXHIBITOR

"Thrilling, absorbing, timely, dramatic . . . Extensive exploitation recommended." — SHOWMEN'S TRADE REVIEW

"As action display and exploitation item, geared for quick, profitable playoff." — HOLLYWOOD REPORTER

"Shots of bombed-out Berlin and Frankfurt alone make it worth the price of admission." — DAILY VARIETY

COMPARTMENT D

Berlin Express

There, a man was murdered . . . a boy and girl fell in love. There—mystery, danger, suspense crowd every mile of this one night journey from Paris to Berlin!

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in

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DORE SCHARY in Charge of Production

RKO RADIO PICTURES

Produced by BERT GRANET • Directed by JACQUES TOURNEUR • Screen Play by HAROLD MEDFORD

7,442 Buyers

(*Continued from page* 1)

ed theatres are 11,302,320, of which 7,249,945 are in circuit houses and 4,052,375 are in independent operations.

The 8,605 circuit theatres contain 64.1 per cent of all theatre seats in the United States, although their houses number only 51 per cent of the theatres.

The statistics released by the Motion Picture Association, including seasonal and less than three-day operations, total 18,351 theatres for the United States. An additional 856 closed theatres were reported for the period when the MPAA survey was made.

Eighty-four per cent of the total seating capacity is in the 11,306 theatres having more than 400 seats. Some 10,156 theatres are located in towns or cities with populations over 2,500.

In the MPAA report, it is disclosed that the 25 largest cities in the U. S. have 2,767 open theatres, or 15.1 per cent, with 2,862,739 seats. New York leads with 589 houses, Chicago is second with 302, and is followed by Los Angeles with 217 and Philadelphia with 201.

Population Ratios

Among the 25 major cities, Washington has the highest ratio of population to theatre seats, 11.6, or in other words, the fewest seats for a given population. Chicago follows with 10.5 and New York with 10.3.

Average ratio of population to seats is 11.2 for the country as a whole, the MPAA further states. Regionally, the South has fewer seats per capita. South Carolina has the highest ratio, 19.8, with Kentucky second, with 18.6, and Alabama third, with 18.3. Nevada has the lowest ratio, 5.6, or the most seats per capita, while the heavily populated state of California just precedes it with 7.7.

Further Breakdowns

While Texas leads in the total number of towns with theatres, 605, the majority of these Texas communities (67.8 per cent) fall into the 2,500-and-under population group, accounting for 37.2 per cent of the state's theatres and 25.3 per cent of the seats. In Pennsylvania, next in line with 534 towns with theatres, 41.0 per cent of that state's towns with theatres are in the 2,500-and-under bracket, representing 19.6 per cent of the total theatres and 9.9 per cent of total seats, according to the MPAA's report.

In issuing a summary of the theatre statistics, MPAA president Eric Johnston disclosed that the association had the assistance of member companies and of exhibitors and exhibitor groups. "Our industry has now set about to place its statistical house in order," Johnston declared, adding: "The theatre directory project is an important step in that direction."

Charges False Arrest

WASHINGTON, April 25.—A $50,000 damage suit has been filed against the Capitol Theatre here by Joseph Coffay, charging false arrest and malicious prosecution for an alleged sex offense. Coffay was acquitted last November.

United - Columbia Deal

HOLLYWOOD, April 25.—United Productions of America has a five-year contract to produce Technicolor cartoon shorts for Columbia.

Review

"The Dude Goes West"

(*Allied Artists*)

Hollywood, April 25.

SHOWMEN who have been asking for "something different" in entertainment are given it here by producers Frank and Maurice King, in a satire on the Western melodrama that includes all the staples of Wild West fiction and makes great sport of them without resorting to ridicule or slapstick. Nothing like it has been done before. It is a fine handling of a fresh approach to the Western type of subject, with a cast made up of Eddie Albert, Gale Storm, James Gleason, Binnie Barnes, Barton MacLane, Douglas Fowley, Tom Tyler and many others. It is 87 minutes of right smart entertainment for any man's audience.

The script by Richard Sale and Mary Loos, directed by Kurt Neumann, opens with a grandfather telling his grandchildren the story of his pioneer days. It begins with his (Eddie Albert's) departure from Brooklyn, where he had been a succesful gunsmith until the supply of guns ran out, for Arsenic City, a village in the gold country where the law had not arrived as yet and guns were in profuse employment, Albert plays the tenderfoot straight, getting into a variety of typical complications, and getting out of them by virtue of being, in consequence of his profession, the best shot in the country. By force of circumstance he reluctantly takes charge of the fortunes of Miss Storm, who went West bearing a map showing the whereabouts of a gold mine which all the desperadoes in the area plot to steal. She reluctantly permits him to save her life, mine and so forth. A dozen or more killings occur, all realistically, but all with humorous overtones, and the two finally marry.

In the best tradition of satire, the basic plot is as straight and orderly as if dealt with in earnest, with the result that the overlay of humor sparkles steadily throughout.

Running time, 87 minutes. General classification. Release date, May 30.

WILLIAM R. WEAVER

16mm. Production On SMPE Agenda

SANTA MONICA, Cal., April 25.—Feature 16mm. production will be analyzed by M. Robert Adams, Jr., and Herman Schultheis, of Telefilm, Inc., Hollywood, at the 63rd convention of the Society of Motion Picture Engineers, May 17-21, at the Ambassador Hotel here.

Carl E. Hittle, RCA Victor, will describe a "16mm. phonograph" designed for the motion picture industry.

Profits for Writers

(*Continued from page* 1)

wood writers to "shake off their comfortable, golden bonds" and "aim at greatness instead of being content with reasonably well-paid mediocrity."

Although several spokesmen for the SWG have in the past proposed that screen writers share in picture profits, the Goldwyn office here says that this is the first time a film producer has gone on record against the established studio policy of hiring writers for specific assignments. "This revolutionary suggestion, if adopted, would mean the end of Hollywood's long-standing policy of putting writers under contract and would unquestionably lead to further fundamental changes in the industry itself," it was said.

Hollywood Exhibit Here

The Clark Gable - Lana Turner M-G-M "Homecoming Museum," exhibit of Hollywoodiana, will be on display in windows of Hearn's, New York department store, starting tomorrow, in connection with the opening of "Homecoming" at the Capitol on Thursday.

Buy Optima Corp.

Henry Brown, theatre operator, and his associates, have acquired the interest of Joseph Auerbach and Stillman and Stillman in International Optima Corp. Maurice Livingston, sales vice-president, will continue as an executive and stockholder.

Sees Big Increase for 16mm. in Mexico

MEXICO CITY, April 25.—With some 200 theatres in service, Oscar J. Brooks, managing director of Peliculas Nacionales, distributor for Mexico's five big producers, says that 16mm. commercial exhibition will be widely extended in Mexico. Brooks, former Warner manager here, explained that the 16mm. theatres are exclusively for small towns, most of which never had motion pictures, and will only enter those places which have but one 35mm. house.

SIMPP Probing

(*Continued from page* 1)

comment on the results of his study to date, saying that it is a matter for the SIMPP board to decide at a later date. Rubin visited Chicago, New York and Washington on his trip East and will visit other cities en route back to the Coast, presumably in connection with SIMPP's study of the combines.

Many producer members of SIMPP have been individually critical in the past of treatment they contend their product has received at the hands of the buying and booking combines.

Italy Broadens Decree

WASHINGTON, April 25.—The Italian government has approved a new decree liberalizing regulations affecting foreign film and other investments and permitting the freer remittance abroad of dividends and capital earned by such investments, according to the U. S. Commerce Department.

'Ivory Tower' Saga's 1st

Saga Films, new independent formed by Joseph Lerner and Rex Carlton here has purchased "Ivory Tower," unproduced play. Shooting starts June 1 in New York.

In Stock Deals

(*Continued from page* 1)

the SEC disclosed.

The report covers the period between January 11 and February 10. Trading in film company stocks by officers and directors was very light.

Universal gave Nate Blumberg warrants for 5,000 shares of common as added compensation in December, 1947, the report states, and gave Charles D. Prutzman warrants for 3,000 shares. Blumberg was listed as holding warrants for 33,400 shares at the end of the period and Prutzman warrants for 23,250, in addition to 6,100 actual shares.

Warner Transactions

At Warner Brothers, Albert Warner gave away 2,000 shares during the month, dropping his personal holdings to $428,400 shares, in addition to which his trust holds 21,000 shares. Harry M. Warner gave away 2,650 shares, with 290,600 remaining in his own name and 16,000 in his trust. Jack L. Warner gave 2,000 shares, leaving 423,000 shares, plus 21,500 in a trust.

Loew's bought 50 shares of Loew's Boston Theatres common, increasing its holding to 123,033 shares.

Columbia president Harry Cohn in December gave away 205 shares, dropping his holdings to 138,922. Jack Cohn trusts sold 1,000 shares, reducing their total to 24,319 shares. Jack Cohn personally was listed with 48,969 shares. A. Montague sold 100 shares, reducing his holding to 8,332. He also holds warrants for 10,428 shares of common.

MGM Heads

(*Continued from page* 1)

Goetz is scheduled to plane to England to plan production at the company's studios at Elstree. First film will be "Edward, My Son," directed by George Cukor. Edwin Knopf will produce. Second will be "Young Bess," which Sidney Franklin will produce.

Plans also are under way for production in Italy of "Quo Vadis" to be produced by Arthur Hornblow, Jr. A location company will leave this week for Italy to choose Italian locale.

Lead in Nicaragua

WASHINGTON, April 25. — U. S. films dominated Nicaraguan screens last year, but Mexican and Argentine films constitute a serious threat to Hollywood's leadership in that country, according to a Commerce Department report. Some 557 features were shown in Managua's first-runs, of which 431 were American.

SPG Pact Talks May 15

HOLLYWOOD, April 25. — Screen Publicists has voted to open negotiations with producers on May 15 for a new contract to replace the current one which expires on Aug. 15.

Conclude ANFA Meet

Annual convention of the Allied Non-Theatrical Film Association concluded here last night with a banquet at the Hotel New Yorker.

Fox Theatre Opens May 4

CALDWELL, Ida., April 25.—The new 600-seat, first-run Fox Theatre will open here on May 4, with Irving Simpson managing.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 81 NEW YORK, U.S.A., TUESDAY, APRIL 27, 1948 TEN CENTS

Plans Readied For US Filming Soon In U. K.

Monogram May Be First Under Deal With Pathe

LONDON, April 26.—Norton V. Ritchey, Monogram-International president, due to arrive here tomorrow, is expected to complete with British Pathe officials a two-way production - distribution contract whereby Monogram-Allied Artists will distribute throughout the Americas three Associated British Pictures productions: "Temptation Harbour," "Brighton Rock" and "My Brother Jonathan." Monogram will produce here, under ABPC auspices, a series of pictures which will have showings guaranteed under British Pathe distribution here and Allied Artists distribution in America.

Also, the agreement will give ABPC, whose distribution has been handled by Pathe, a dual American outlet, with its major output handled by Warners under a concluded pact.

Subject to finalization, Monogram is likely to be the first American company to definitely commence production here under the tax agreement.

Before he returns to the U. S., Ritchey is expected to discuss Monogram joining in French production.

Trumbo Trial Now Slated for Today

WASHINGTON, April 26.—Federal Judge David A. Pine today granted a 24-hour postponement in the contempt trial of screen writer Dalton Trumbo, and set trial for tomorrow morning.

Counsel for Trumbo asked for the delay in order to determine whether his defense could be conducted without calling Rep. J. Parnell Thomas (R., N. J.), chairman of the House Committee on Un-American Activi-

(*Continued on page 6*)

Seek Dismissal of Carpenters' Appeal

WASHINGTON, April 26.—IATSE today asked the Supreme Court to dismiss an appeal by 16 members of the studio carpenters union from a lower court decision throwing out their suit for declaratory relief for lack of jurisdiction.

The carpenters are seeking a court

(*Continued on page 6*)

B'way Grosses Hold Up Well

Pleasant weather and a number of new pictures are stimulating business at Broadway first-runs. Three of five newcomers bowed in impressively this week, and a number of holdovers are producing better - than - satisfactory grosses. Most holdovers, however, are doing only fairly well.

"State of the Union" got off to a rousing start at Radio City Music Hall where a Russell Markert springtime show occupies the stage; $136,500 is expected for the first week on the basis of $85,000 taken in Thursday through Sunday. Also starting big is "Arch of Triumph" which is on the way to $52,000 for its initial week at the Globe. At the Paramount, "The Big Clock," with Duke Ellington's band on stage, is due to finish the first week with a robust $100,000.

At the Capitol, "The Naked City,"

(*Continued on page 7*)

Holds Scophony Subject to Suit

WASHINGTON, April 26.—The Supreme Court today unanimously ruled that Scophony, Ltd., "transacted business" in New York and so could be made party to the Government's anti-trust suit there.

The high court reversed the ruling of the district court for the Southern District of New York that the British firm was merely protecting its interest in American Scophony, was not engaging in any activities related to its ordinary business of manufacturing, selling and licensing television apparatus, and could not be served.

Presumably now the Government will move forward its anti-trust case against the British firm, plus Sco-

(*Continued on page 6*)

'4A' Contract Talks With Nets Open Here

Negotiations on the first contract covering wages, hours and conditions of work for performers in television got under way here yesterday when a committee of the Associated Actors and Artistes of America met with representatives of the four major networks—CBS, NBC, ABC and Mutual—at CBS headquarters. DuMont, Paramount and the *New York Daily News* will be included in the negotiations later.

Each of the 11 AAAA unions is represented on the committee conducting the negotiations for the performers. Heading the committee is George Heller, American Federation of Radio Artists' executive secretary.

Allied Units Differ On Ascap Contract

Allied Rocky Mountain Independent Theatres, Denver, recommends that all negotiations with Ascap on a new contract be halted, whereas Allied Theatre Owners of Indiana, Indianapolis, suggests that exhibitors apply for a one-year contract.

The Rocky Mountain group reminds members that national Allied will map the next Ascap move at its board meeting on May 15-17, and its regional unit will meet on May 18-19.

MPAA Upholds Code Coverage of Films

Motion Picture Association of America's stand on application of its advertising code to commercial advertising films intended for showing with entertainment programs in theatres has been reaffirmed unanimously by its directors, it was announced by the MPAA here yesterday.

Affected are all films more than 200 feet long advertising any commercial product other than films. These pictures will have to be approved by the MPAA's Advertising Code Administration. Approved films must carry an advertising code certificate and the words: "This Is an Advertisement."

The ruling is applicable only to distributor and exhibitor members of the MPAA.

20th Board Up for Re-election May 18

Stockholders of 20th Century-Fox will attend their annual meeting here on May 18. Principal order of business will be the election of a board of directors.

Company president Spyros P. Skouras, production vice-president Darryl F. Zanuck and the 11 other members of the board have been nominated for re-election. They are: L. Sherman Adams, Robert L. Clarkson,

(*Continued on page 7*)

24 Korda Films to NY News for Video

WPIX, *The Daily News* television station in New York, has obtained U. S. television rights to 24 films produced by Sir Alexander Korda. WPIX stated here yesterday that this is the first time that a television sta-

(*Continued on page 6*)

Owners Plan A $3-Million Charity Unit

Allied Board May Set Programs Next Month

Exhibitor critics of the Motion Picture Foundation are formulating plans to set up a separate philanthropic organization of their own with a view toward aiding needy theatre employes, it was reported here yesterday by a theatre operator who has engaged in group discussions on the subject. A fund goal of approximately $3,000,000 may be considered, it was said.

When the Allied States Association's board of directors meets in Denver, May 15-17, the exhibitor foundation is expected to be one of the principal subjects of discussion. Early this year the board of directors of North Central Allied termed the MPF's plan "vague" and "confusing" and went on record as being unwilling to participate in it. Shortly thereafter,

(*Continued on page 7*)

Reynolds, Lippert Out of Naify Deal

SAN FRANCISCO, April 26.—Negotiations by Milton Reynolds and Robert Lippert for 50 per cent of M. J. Naify's United California Theatres Co. have been discontinued. Reynolds, it is understood, has withdrawn his offer of $650 per share for the half interest.

Naify declined to comment on reports that all other prospective purchasers, notably Ted R. Gamble, Joseph M. Schenck and Charles Skouras, also are out of the running. Reports are that Gamble's bid, said to be for $550 per share, failed to inter-

(*Continued on page 7*)

High Court Backs U. S. in Trust Case

WASHINGTON, April 26.—Supreme Court observers today took as another base signal for the motion picture companies the court's sweeping decision in favor of the Government in its anti-trust suit against the cement industry. While the cement case is completely different from the Paramount case, the observers were impressed by the court's unanimity as a further indication of its willingness to go along with Justice Department in broadening the scope of the anti-trust laws.

Coming Events

May 3-4—Motion Picture Theatre Owners and Operators of Georgia convention, Henry Grady Hotel, Atlanta.

May 4-5—Independent Theatre Owners of Arkansas convention, Hotel Marion, Little Rock.

May 4-5—Independent Exhibitors of New England convention, Hotel Somerset, Boston.

May 10-11—Allied Independent Theatre Owners of Iowa and Nebraska convention, Des Moines.

May 11-12—Motion Picture Foundation trustees meeting, Hotel Astor, New York.

May 12-13—Allied Independent Theatre Owners of Kansas and Missouri convention, Hotel Muehlebach, Kansas City.

May 17-18—Society of Motion Picture Engineers' semi-annual convention, Ambassador Hotel, Santa Monica, Cal.

May 18-19—Allied Rocky Mountain ITO convention, Denver.

May 21—Motion Picture Associates annual dinner-dance, Waldorf-Astoria Hotel, New York.

Drop Defendant in Baltimore Action

WASHINGTON, April 26.—Counsel for Baltimore's Windsor Theatre, which some weeks ago filed a civil anti-trust suit here against major distributors, Walbrook Amusement Co., Hilton Theatre Company, and Thomas D. Goldberg, president of the two latter companies, today agreed to dismiss Goldberg as a party to the suit but asked the Federal District Court to refuse a defense motion to dismiss the suit against the two Baltimore theatre concerns.

Attorneys for Goldberg and the two Baltimore companies had asked that the suit be dismissed against them on the ground that they did not do business in Washington.

Rosenthal Appointed Albany TOA Director

ALBANY, N. Y., April 26.—Leonard L. Rosenthal, local film attorney, has been appointed executive director of the Theatre Owners of America's Albany exchange area unit. The selection, urged since the formation of the unit last fall, was made with the approval of the national TOA.

Rosenthal, who is also a film-buying adviser for Upstate Theatres, recently attended an organizational meeting in Chicago with Harry Lamont, present temporary chairman.

5% Freight Rate Rise Effective on May 6

WASHINGTON, April 26.—Freight rate increases averaging five per cent will go into effect May 6, according to schedules filed by the carriers with the Interstate Commerce Commission late today.

Personal Mention

SIR ALEXANDER KORDA, MURRAY SILVERSTONE, 20th Century-Fox International president; ROBERT GUILLEMARD, production chief of Pathe Cinema of France; HAROLD BOXALL, director of London Film Productions, and MRS. BOXALL, and AKIM TAMIROFF and his wife are among passengers due here today from Europe on the *SS Queen Elizabeth*.

•

BILLY WILDER, director, will arrive in New York tomorrow from Hollywood for a stay of 10 days. He will then go to Europe on a business trip of eight weeks.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, will leave New York for St. Louis today. He returned here yesterday from Atlanta.

•

GENE HUDGENS has resigned as manager of the Home Theatre, Oklahoma City, to join Republic in that city. LESTER LLOYD succeeds him at the Home.

•

ROBERT TAPLINGER, Enterprise vice-president, and WILLIAM BLOWITZ, director of publicity, are here from Hollywood.

•

HARRY F. SHAW, division manager of Loew's Poli Theatres, and MRS. SHAW are en route to South America from Hartford for a vacation.

•

GEORGE D. BURROWS, Allied Artists-Monogram executive vice-president and treasurer, returned to Hollywood yesterday from New York.

•

MADELEINE CARROLL will be the guest of the motion picture chapter of the American Veterans Committee tomorrow night at the Taft Hotel here.

•

JACK HARRIS, Walter Reade Theatres chief booker, and MRS. HARRIS have returned to New York from Miami.

•

PAUL R. WING, JR., son of the producer-director, has joined the managerial staff of Walter Reade's Paramount in Long Branch, N. J.

•

SAMUEL G. ENGEL, 20th Century-Fox producer, is in town from Hollywood.

•

HERMAN LEVY, Theatre Owners of America counsel, left New York yesterday for New Haven.

•

WILLIAM GERMAN, president of J. E. Brulatour, Inc., will return here today from Rochester, N. Y.

•

PAUL WHITEMAN and MURRAY B. GRABHORN have been elected vice-presidents of American Broadcasting.

•

STEVE KURPEN of Hartford has leased the Astor Theatre, East Hartford.

•

W. G. MCGRAFF has joined San Francisco Theatres in that city in a managerial capacity.

NICHOLAS NAYFACK, M-G-M studio executive, is due here next week from the Coast.

•

EMMA CARBONE, secretary to RKO Theatres national advertising-publicity director HARRY MANDEL, and ELIZABETH LAUS, secretary to BLANCHE F. LIVINGSTON, were feted last week by their colleagues in the theatre publicity department on the occasion of their 25th anniversaries with the company.

•

WALTER KIRCHOFER has been shifted to Walter Reade's Kingston Theatre, Kingston, N. Y., replacing BETTY RISELEY who was switched to the Broadway Theatre, that city.

•

JACK N. WARNER, son of JACK L. WARNER, and BARBARA RICHMAN of New Haven, have announced their engagement.

•

CHARLES D. O'BRIEN of Loew's industrial relations department returned to New York yesterday from Hollywood.

•

JOEL BEZAHLER, assistant to M-G-M sales head WILLIAM F. RODGERS, has returned to New York from a vacation.

•

WOLFE COHEN, Warner International vice-president, is due in Hollywood next Sunday from New Zealand.

•

ED HINCHY, head of Warners' home office playdate department, returned here yesterday from Pittsburgh.

•

CLIFF POLAND, Warner Pathe staff cameraman in Miami, and MRS. POLAND have become the parents of a daughter.

•

EARL and ARTHUR ELKIN, brothers who operate the Elkin Theatre, Aberdeen, Miss., are planning an auto trip to the Coast.

•

CAROL BRANDT, M-G-M Eastern story head, will leave New York May 6 for Hollywood.

•

EDWIN KNOPF, M-G-M studio executive, is due here May 13 from the Coast en route to Europe.

•

JULES LEVEY, United Artists independent producer, is due in New York May 5 from Europe.

•

NUNNALLY JOHNSON, Universal-International producer, is in town from California.

•

ROBERT NATHAN, M-G-M writer, and his wife are due here from the Coast May 6.

•

MARGARET O'BRIEN will return here next week from Europe.

•

HAL B. WALLIS is in New York from Hollywood.

•

BUD ABBOTT and LOU COSTELLO are in town from the Coast.

Little Carnegie Case Before State Court

ALBANY, N. Y., April 26.—Decision is expected in two weeks by the Court of Appeals here on an Appellate Division ruling on the possession of the Little Carnegie Theatre, New York. Argument was heard today on an appeal by Jean Goldwurm and George Schwartz, present landlords, from the appellate ruling which held that Max and William Goldberg and William Lesser, operators of the Little Carnegie, could stay on for the remaining five years of the lease.

The present landlords exercised a right of cancellation under the lease when they purchased the building in order to take possession of the theatre. Louis Nizer represented the theatre operators.

Bar Title Registration

Refusal by the Title Registration Bureau to register the title, "Rose of Cimarron," on the ground that it conflicted with Edna Ferber's "Cimarron," has been upheld by the board of directors of the Motion Picture Association of America.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer Katharine Van
TRACY HEPBURN JOHNSON
Angela Adolphe Lewis
LANSBURY MENJOU STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS. • GEORGE KIRBY
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

BETTE DAVIS
IN WARNER BROS.' NEW SUCCESS
"WINTER MEETING"
with JANIS PAIGE • JAMES DAVIS
directed by BRETAIGNE WINDUST • produced by HENRY BLANKE
WARNER THEATRE
B'way 51st • Opens 10:30 AM • Late Midnight Film

DENNIS MORGAN
VIVECA LINDFORS
"TO THE VICTOR"
IN PERSON
CAB CALLOWAY AND HIS MUSICAL JUBILEE
PLUS DEEP RIVER BOYS
Extra PEARL BAILEY
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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"The Sainted Sisters"

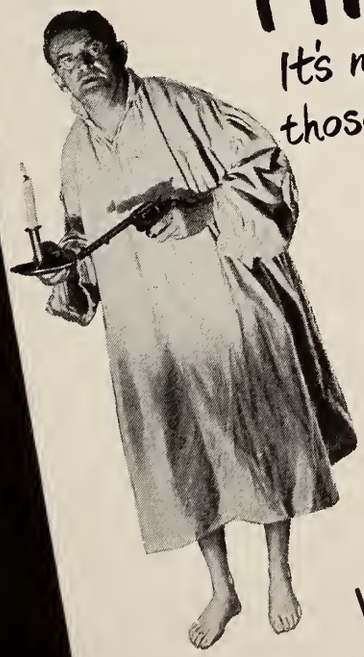
They're no saints... but who cares! 'Cause those light-fingered... light-hearted lassies

Veronica LAKE and Joan CAULFIELD

are the most sought-after gals in the U.S.A.... as they leave a trail of broken hearts and baffled sheriffs from here to the border... even Barry

FITZGERALD trails ém!

It's no wonder Grove Falls (pop. 453) falls for those daring darlings who find out what fun it is to be good....



"The Sainted Sisters" in

with

WILLIAM DEMAREST

GEORGE REEVES · BEULAH BONDI

Produced by Richard Maibaum · Directed by William D. Russell

Screenplay by Harry Clork and N. Richard Nash

Adapted by Mindret Lord · A Paramount Picture

LOOK This Week...

at this ad in Look Magazine, adding five million moviegoers to the multi-million readership of our ads in Collier's, Saturday Evening Post, and other famous magazines to promote this "gem of a comedy" (says Hollywood Reporter). And take a look at that ticket-selling novelty Trailer from

Paramount

23,607 WOMEN'S CLUBS

will be

In one of the most far-reaching promotional tie-ups with women's clubs throughout the country, 23,607 club leaders have pledged their fullest cooperation to make "Letter from an Unknown Woman" the most talked-about picture in town. Special printed and pictorial matter has been made available to help the great promotion.

Your local women's club chairwoman will be calling on you for further cooperation. Take full advantage of it. Every woman in your town will be talking about "Letter from an Unknown Woman"!

Talking about...
UNIVERSAL-INTERNATIONAL presents
JOAN FONTAINE
Unforgettably Matched for Love with
LOUIS JOURDAN
Romantic New Star of 'The Paradine Case'
"Letter from an Unknown Woman"
with
MADY CHRISTIANS · MARCEL JOURNET · ART SMITH · CAROL YORKE · Screenplay by Howard Koch
From the Story by Stefan Zweig · Produced by JOHN HOUSEMAN · Directed by MAX OPULS · A RAMPART PRODUCTION

Legion Reclassifies 'Furia,' Rates Eleven

"Furia," Italian-made film being released here by Film Classics, has been removed from the National Legion of Decency's "C" (condemned) list and placed in class B. Revisions made in the picture were deemed sufficient to warrant the change in classification.

Seven of 11 additional pictures have been classified A-I: "California Firebrand" and "Old Los Angeles," both Republic; "Green Grass of Wyoming," 20th-Fox; "Kings of the Olympics" and "Olympic Cavalcade," both United Artists; "My Dog Rusty," Columbia, and "On an Island with You," M-G-M. Two were placed in Class A-II: "Lightnin' in the Forest," Republic, and "Up in Central Park," Universal-International. United Artists' "Atlantis" and Vog Films' "Jenny Lamour" (French) were placed in Class B.

E. E. Carter Is Named President of ANFA

E. E. Carter of National Film Service, Raleigh, N. C., has been elected president of the Allied Non-Theatrical Film Association. Other officers elected are: E. H. Stevens, Stephens Pictures, first vice-president; Maurice T. Groen, Films of the Nations, second vice-president; George H. Cole, King Cole Sound Service, treasurer; Jerome J. Cohen, secretary. Directors include Harold Baumstone, Post Pictures; J. P. Lilley; William Rogers, Religious Films; Alan Twyman, Twyman Films.

Mrs. Stagg Returns To Editorial Post

Mrs. Carolyn Willyoung Stagg has rejoined Samuel Goldwyn Productions as Eastern editorial representative in New York. Mrs. Stagg, former associate editor of *Ladies Home Journal,* as well as former publicity director for Alfred A. Knopf, and assistant to the vice-president of Reynal and Hitchcock, resumes the post she held until Jan. 1 of this year when Pat Duggan, vice-president, came East to head the office. Duggan has returned to the Coast to take up studio duties again.

May Advance Curfew

COLUMBUS, O., April 26. — Police chief Charles M. Berry has proposed revisions in the juvenile curfew ordinance which would move the deadline up to 10 P.M. for children 16 and under. Theatres are included in "places of amusement and entertainment" forbidden to children after the curfew hour.

Holt-Levrero Production

Nicholas Jack Levrero, RKO Radio associate producer on leave, is associated with RKO producer Nat Holt in the independent production of "Canadian Pacific," which will be distributed by 20th Century-Fox. Levrero was recently appointed general manager of the Eastern division of Trans-Atlantic Airways.

Stevens at Paramount

HOLLYWOOD, April 26.—Having officially completed his contractual commitment at RKO Radio studios under the Liberty banner, producer-director George Stevens and his organization have been installed at Paramount.

Reviews

"On an Island with You"

(Metro-Goldwyn-Mayer)

Hollywood, April 26

WITH Esther Williams in sarong and swim-suit, Jimmy Durante in humor and song, Xavier Cugat and his band in characteristic rhythms and Cyd Charisse featured in ballroom and ballet dance numbers, this Joe Pasternak production in Technicolor should duplicate the box-office performance of his earlier ventures in kind. Ricardo Montalbon of "Fiesta," Peter Lawford of "Good News" and a long list of M-G-M regulars also have their innings in a colorful, tuneful attraction plentifully equipped with production numbers, solos and group workouts, and directed with skill and in commendable tempo by Richard Thorpe.

The background story provided in a script by Dorothy Kingsley, Dorothy Cooper, Charles Martin and Edward Heyman concerns a film production company on location in Honolulu, and the not unpleasantly ensnarled romances linking the Messrs. Lawford and Montalban with the Misses Williams and Charisse. The natives, the Navy, a deserted island and the long arm of coincidence figure interestingly in the unsnarling of the plot lines, but the conclusion is never left sufficiently in doubt to interrupt the attention of an audience present primarily to see and hear light entertainment. Musical numbers of major value include a water ballet led by Miss Williams, a surfboard ballet in a swimming pool, a Pagan ballet led by Miss Charisse and a modern jazz routine by the latter and Montalban.

Running time, 107 minutes. General classification. Release date not set.

WILLIAM R. WEAVER

"Trapped by Boston Blackie"

(Columbia)

CHESTER MORRIS, as Boston Blackie, is the leading suspect in a pearl necklace robbery. He and his assistant, "The Runt," played by George H. Stone, are the center of several exciting episodes which make this a diverting melodrama.

Boston Blackie, reformed criminal, is suspected of stealing the necklace at a dinner party when he is pinch-hitting for a detective who had been murdered. Boston Blackie endeavors to find the thief but the police inspector, played by Richard Lane, is convinced that he stole the necklace. However, Boston traps the thief and he and the Runt are exonerated. June Vincent, Patricia White and Edward Norris are among the supporting players. The film is based on characters created by Jack Boyle. Rudolph C. Flothon produced and Seymour Friedman directed. Maurice Tombragel wrote the screenplay from Charles Marion and Edward Book's story.

Running time, 67 minutes. General classification. Release date, May 13.

"The Argyle Secrets"

(Eronel-Film Classics)

ERONEL Productions' first for Film Classics is knock-'em-dead entertainment. It hits its target squarely, containing violence in abundance, with no less than six persons meeting an untimely end. Top billing goes to William Gargan, who hands out as much physical punishment as the most durable hero.

Gargan is a reporter looking for an album of names of key persons who backed both sides in World War II. Two criminal gangs also are after the album, and the battle for its possession results in a chain of fast-moving incidents. Alan H. Posner and Sam Abarbanel, Eronel partners, turned out a good picture, directed effectively by Cyril Endfield from his own screenplay, which was derived from the radio play, "The Argyle Album," of the "Suspense" radio series. Gargan is capably supported by Marjorie Lord, Ralph Byrd, Jack Reitzen, John Banner and Alex Fraser.

Running time, 63 minutes. General classification. Release date, not set.

Seek Dismissal

(*Continued from page* 1)

order giving them certain studio work which they claim they rightfully should have, instead of the IATSE.

As did producers in their answer to the appeal last week, the "IA" said that "the sole controversy presented to the District Court below was a jurisdictional dispute between two labor organizations arising out of a series of contracts, awards and decisions, with respect to which petitioners sought declaratory relief." In the absence of diversity of citizenship, the IATSE said, the lower courts were right in throwing out the case.

Start Brookdale House

BROOKDALE, N. J., April 26.—A. A. Adams, New Jersey exhibitor, has broken ground here for a $300,000 theatre and store development. The house will seat 1,250 and have parking facilities for 260 cars and a television lounge.

Kranze To Set Policy on 8

B. G. Kranze, Film Classics sales vice-president, has left New York to visit the Buffalo and Cincinnati exchanges where he will set up sales policy on eight pictures. They are: "For You I Die," "Devil's Cargo," "Women in the Night," "Discovery," "Money Madness," "Furia" (Italian), "Argyle Secrets" and "Blonde Ice," plus some future Cinecolor product.

FC's First Managers' Drive

B. G. Kranze, sales vice-president of Film Classics, has set the company's first "branch managers' new product drive," to terminate on July 30.

New House for Meriden

HARTFORD, April 26.—Nick Kounaris, Paul Tolis and George Ulyssis of New Britain, plan a 1,000-seat theatre at Meriden. Kounaris and Tolis operate the Newington at Newington.

Hearings on Studio Dispute on May 25

WASHINGTON, April 26.—Resumption of the Kearns House labor subcommittee's hearings on the Hollywood jurisdictional dispute has been pushed back from May 17 to May 25, and hearings cut down from several days to one day, a committee official said.

Westbrook Pegler will testify then and may be the only witness, he said. California "Little Dies" committee chairman Jack Tenney will not [illegible]ar, he stated.

Meanwhile, plans for further West Coast hearings were reported running into the opposition of full committee chairman Hartley. He opposes the expense, it is understood. It is possible, the official said, that just one member may go to the Coast to take depositions from witnesses.

Trumbo Trial Today

(*Continued from page* 1)

ties. Thomas, who became ill during his recent trip to Panama, entered Walter Reed Hospital over the weekend for a checkup, and it is not known how long he will be hospitalized.

Trumbo is charged with refusing to tell the committee whether he is or has ever been a member of the Communist Party or the Screen Writers Guild, during the hearings last October on the extent of Communist infiltration into the motion picture industry. He faces a maximum sentence of one year in prison and a fine of $1,000 on each count.

Meanwhile, arguments before Justice Edward M. Curran on the motion for a new trial for writer John Howard Lawson, were set for Friday morning.

Holds Scophony

(*Continued from page* 1)

phony Corp. of America, General Precision Equipment Corp., Television Productions, Inc., and Paramount for alleged conspiracy to restrain and monopolize trade in products, patents and inventions in television and allied industries.

Justice Rutledge, delivering the Supreme Court's opinion, said that Scophony, Ltd.'s operations in New York may not have consisted of actually manufacturing and selling television apparatus, but undoubtedly consisted of saving and exploiting its television patents.

The Supreme Court also rejected a contention of Scophony that director Arthur Levey's authority to act for the British firm had expired when he was served in the case.

24 Korda Films

(*Continued from page* 1)

tion will be able to exhibit a series of top feature films, and it is also the first time that Sir Alexander has released any motion pictures to television. Until now, films of this status have been telecast only occasionally. WPIX is scheduled to go on the air June 15.

The films include: "Scarlet Pimpernel," "Private Life of Henry VIII," "The Ghost Goes West," "Thief of Bagdad," "Lady Hamilton," "The Man Who Could Work Miracles," and 17 others. The deal was concluded by R. L. Coe and James S. Pollak of WPIX, and Morris Helprin, New York representative of Korda's London Films.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CINCINNATI

Although business in some other lines appears to be levelling off more or less, theatre attendance here is generally holding up well, with the RKO Albee leading current returns with a stage and film combination. Estimated receipts for the week ending April 27:

CASBAH (U-I)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $13,000. (Average: $15,000)
THE LADY FROM SHANGHAI (Col.)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 7 days, 2nd week, on a moveover from the Palace. Gross: $6,000. (Average: $5,000)
NAKED CITY (U-I)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 4th week. Gross: $7,000. (Average: $7,500)
THE SIGN OF THE RAM (Col.)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c). Gross: $8,500. (Average: $8,000)
SITTING PRETTY (RKO Radio)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 4 days, 5th week, following an opening week at the Palace, two moveover weeks at the Shubert, and a moveover week at the Lyric. Gross: $3,000. (Average, 7 days, $5,000)
STAND-IN (WB reissue)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 4 days, dualed with **HOUSE ACROSS THE BAY (WB reissue)**. Gross: $3,500. (Average, 7 days: $5,000)
UNCONQUERED (Para.)—RKO CAPITOL (2,700) (50c - 55c - 60c-65c-70c-75c). Gross: $9,000. (Average: $10,000)
WOMAN FROM TANGIER (Col.)—RKO ALBEE (3,300) (55c-95c). With a stage show. Gross: $28,000. (Average: $30,000)

ATLANTA

Business here is not up to average. Estimated receipts for the week ending April 28:

BLACK BART (U-I)—LOEW'S GRAND (2,446) (12c-54c). Gross: $12,500. (Average: $14,000)
RUTHLESS (E-L)—PARAMOUNT (2,446) (12c-50c). Gross: $5,700. (Average: $5,800)
SITTING PRETTY (20th-Fox)—ROXY. On a moveover from the FOX (2,446) (30c-50c). Gross: $6,200. (Average: $5,800)
TENTH AVENUE ANGEL (M-G-M)—FOX. With a stage show (4,446) (50c-80c this week only on account of a stage show). Gross: $20,000. (Average: $14,000)

BALTIMORE

Most business here is about average. Openings were strong enough but the weekend grosses slumped. Estimated receipts for the week ending April 29:

CASBAH (U-I)—CENTURY (3,000) (29c-37c-45c-54c and 56c weekends). Gross: $14,000. (Average: $14,500)
OLD LOS ANGELES (Rep.)—MAYFAIR (1,000) (21c-29c-54c). Gross: $5,750. (Average: $5,000)
SITTING PRETTY (20th - Fox)—NEW (1,800) (29c-40c-50c-56c) 2nd week. Gross: $9,500. (Average: $11,750)
TO LIVE IN PEACE (Italy-Times)—LITTLE (328) (29c-37c-56c) 2nd week. Gross: $2,500. (Average: $3,000)
THE BIG CLOCK (Para.)—KEITH'S (2,406) (25c-37c-44c-54c and 56c weekends) 2nd week. Gross: $9,750. (Average: $12,000)
THE BRIDE GOES WILD (M-G-M)—VALENCIA (1,466) (29c-37c-45c-54c and 56c weekends) 2nd week. Gross: $5,500. (Average: $5,000)
THE MIRACLE OF THE BELLS (RKO Radio)—TOWN (1,450) (29c-37c-56c). Gross: $11,000. (Average: $10,500)
THE NOOSE HANGS HIGH (E. L.)—HIPPODROME (2,205) (29c-37c-50c-58c) With a stage show. Gross: $20,000. (Average: $17,000)
WINTER MEETING (WB)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $16,000. (Average: $14,500)

TORONTO

There were eight holdovers among the first-runs. "Sitting Pretty" is setting up a record of six weeks at the Victoria and the Nortown. It was the off season for sports and there was occasional rain. Estimated receipts for the week ending April 29:

ALIAS A GENTLEMAN (M-G-M) and ARE YOU WITH IT? (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $11,000. (Average: $11,600)
THE BRIDE GOES WILD (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days. Gross: $16,700. (Average: $14,200)
JASSY (E-L)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days, 2nd week. Gross: $5,800. (Opening week: $7,000)
JASSY (E-L)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days, 2nd week. Gross: $5,000. (Average: $5,000)
PERSONAL COLUMN (UA)—BILTMORE (938) (20c-36c-50c-60c) 6 days, 2nd week. Gross: $5,500. (Opening week: $7,000)
RELENTLESS (Col.)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days. Gross: $17,100. (Average: $14,600)
SITTING PRETTY (20th - Fox)—NORTOWN (950) (20c-36c-42c-60c) 6 days, 6th week. Gross: $4,300. (Average: $7,000)
SITTING PRETTY (20th - Fox)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 6th week. Gross: $4,800. (Average: $6,300)
TYCOON (RKO Radio)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days, 2nd week. Gross: $7,400. (Average: $7,400)
TYCOON (RKO Radio)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days, 2nd week. Gross: $9,200. (Average: $9,200)
THE VOICE OF THE TURTLE (WB)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $16,400. (Average: $14,900)

PRODUCT WANTED

For National Distribution

SEA STORY—OUTDOOR ACTION—HISTORICAL—WHODUNITS

(New or Reissue)

All Cash Deals Preferred

WRITE—WIRE—CALL

DEVONSHIRE FILM COMPANY

185 Devonshire Street, Boston, Mass.

Capitol DST Nears

WASHINGTON, April 26. — The House today passed a bill to authorize the District of Columbia commissioners to put daylight saving into effect this year. The measure goes to conference with the Senate which approved a bill giving the commissioners power to do this in 1948 and all future years. Agreement is expected on the House version, but it will be several days before the commissioners hold hearings on the matter.

Newark, O. Defeats DST

NEWARK, O., April 26.—By vote of seven-to-one, the Council has defeated a proposal to adopt daylight saving time for the summer.

Reynolds, Lippert

(*Continued from page* 1)

est Naify, who acquired sole ownership of the circuit last fall by buying out his partners at the same price per share.

Latest report is that an Eastern candy company with West Coast affiliations is interested in buying into United California and may come up with an offer after the present situation cools down somewhat.

B'way Grosses

(*Continued from page* 1)

plus Tex Beneke's orchestra on stage, is still going strong; the eighth and final week is expected to bring $60,000. "Homecoming" will take over at the Capitol on Thursday. "All My Sons" is also firm at the Criterion where a fifth and final week promises $18,000; "Casbah" will move in on Saturday.

$42,000 for 'To the Victor'

"To the Victor" continues to do all right at the Strand where Cab Calloway heads a stage bill; about $42,000 is seen for a second week on the basis of $21,000 grossed Friday through Sunday. At the Victoria, "The Search" is holding up well, and a fifth week is due to bring in $13,000.

A good $30,000 is expected for the first week of "Intrigue" at Loew's State, and a nice $7,500 is in store for the initial week of "Kings of the Olympics" at the Gotham.

"Gentleman's Agreement," which will continue at the Mayfair until May 24, is on its way to $14,400 for a 24th week. . "Letter from an Unknown Woman" will bow in tomorrow at the Rivoli where the sixth and final week of "Miracle of the Bells" is so-so at $17,000. At the Roxy, "Scudda Hoo! Scudda Hay!," along with Ed Wynn on stage, has been playing to meagre business and will make way for "Anna Karenina" today after six days of a second week brought a mere $43,000.

$14,000 Seen for 'Winter Meeting'

"Winter Meeting" is in its third week at the Warner where $14,000 is seen on the basis of $7,000 grossed Friday through Sunday. The Sutton took in $3,600 for the 10th week of "The Pearl" which will last one more week. "Mr. Blandings Builds His Dream House" is satisfactory at the Astor where a fifth week looks like $26,000. At the Winter Garden, "Are You With It?" is fair in its second week at $17,000; it will stay a third. The Park Avenue is on the way to a pretty good second week with "The Mikado" with an estimated $6,500 in store. The Bijou's second week of "The October Man" is a relatively mild one with $7,000 seen.

Owners' Foundation

(*Continued from page* 1)

several other local Allied units followed suit. The Pacific Coast Conference of Independent Theatre Owners and the Independent Theatre Owners of New York are likely to participate in the new exhibitor foundation along with Allied and some others, it was said.

Tentative plans for raising the $3,000,000 fund call for production of features and short subjects. Profits on such pictures would go into the fund as would a percentage of each participating theatre's daily receipts.

'Fuller' Charity Premiere

"The Fuller Brush Man," Columbia, will have its world premiere in Hartford on Wednesday, May 12, at Bushnell Memorial, with all proceeds going to three local hospitals, the Hartford, St. Francis and Mt. Sinai.

Heart Fund Aided

CHICAGO, April 26. — Proceeds of $21,000 from last week's benefit world premiere of "Casbah" at the Oriental Theatre here, were donated to the Chicago Heart Association.

B&H Reelects Board; Reports $616,151 Net

CHICAGO, April 26.—Following directors were reelected at the annual stockholders' meeting of Bell and Howell: J. H. McNabb, president; A. S. Howell, vice-president; and C. H. Percy, Max McGraw, T. Albert Potter, E. H. McDermott and C. V. Clark.

Earnings for the quarter ended March 31, before Federal taxes, amounted to $994,151. Net for the quarter, after taxes, was $616,151.

20th Board

(*Continued from page* 1)

John R. Dillon, Wilfred J. Eadie, Daniel O. Hastings, Donald A. Henderson, Robert Lehman, William C. Michel, William P. Philips, Seton Porter, and Murray Silverstone.

Meeting notice sent to stockholders lists the following whose aggregate remuneration from the company and its subsidiaries for the fiscal year exceeded $20,000, and who were also directors of the corporation at any time during the year, or one of the three highest paid officers of the company or who are nominees for election as directors:

Thomas J. Connors, former distribution vice-president, $94,425; Eadie, comptroller and assistant treasurer, $53,900; Henderson, secretary-treasurer, $64,891; Michel, executive vice-president, $117,600; Silverstone, vice-president, $96,850; Skouras, $253,200; Zanuck, $260,000.

Jacob Luft, 71

COLUMBUS, O., April 26.—Jacob F. Luft, 71 long associated with the amusement industry in Central Ohio, died suddenly at his home following a heart attack. He was treasurer of Variety Club Tent No. 2, trustee of the Dusenbury estate and manager of the Grand Theatre Building.

W. J. O'Neill's Wife

TORONTO, April 26.—Funeral mass was sung here Saturday morning for Mrs. W. J. O'Neill, wife of the secretary of Paramount Film Service. Also surviving are three children.

TWA Constellations set new winter performance record

On its coast-to-coast and New York-Chicago routes, TWA's Constellations flew 4,377,000 miles, carried 117,000 passengers—completed 97% of scheduled mileage during one of worst winters in history!

For reservations, call your TWA office or your travel agent

TWA

TRANS WORLD AIRLINE

U.S.A. • EUROPE • AFRICA • ASIA

COAST TO COAST

Coo-LOSSAL!

DENVER POST
A delightful piece. Will capture your affection completely.

GREAT FALLS TRIBUNE
New and Different Movie.
A "smash hit."
Art and culture combined with entertainment to come up with "box office."

INDIANAPOLIS STAR
A refreshing novelty. Grown-ups will find it entertaining, too.
It has suspense.

KANSAS CITY STAR
A movie to which mother and dad need not hesitate to take the children. Grandmother and grandfather will like it, too. And uncles and aunts.

NEW YORK TIMES
A wonderfully different time.
There's no reason why one and all shouldn't find this a very pleasant and unusual divertissement.
A full round of applause for an extraordinary entertainment.

NEW YORK SUN
Youngsters could probably watch forever. The birds are remarkable.

N. Y. DAILY NEWS
Enchantment awaits at the Gotham Theatre.
Exciting. Delightful. Circus and the love birds amazing, daring.
New unusual and artistic.
Well worth seeing.

N. Y. DAILY MIRROR
Most unusual, a pushover for the kids and charming for adults.
A gem, unique and amusing.

N. Y. HERALD TRIBUNE
Fantasy, farce, whimsy uniquely entertaining film.
A delightful modern fairy tale.

N. Y. WORLD TELEGRAM
Something more than just a bright trick to amuse the kiddies. A pleasant little gem of light hearted gayety.

N. Y. JOURNAL-AMERICAN
Astonishing charm. Deserves the special Oscar it recently got.

OREGON JOURNAL
Novel bit of film entertainment.

THE OREGONIAN
Fabulous Flicker. Dangblastedest movie since old T. Edison brainstormed with his magic lantern. Hard-hearted critics, predict "Bill and Coo" will be the most talked-about film in years. Slightly more than terrific.

SAN FRANCISCO NEWS
Amazing production. Intriguing and unique film. An enchanting, almostunbelievable picture.

SAN FRANCISCO CHRONICLE
Something to chirp about. Fresh, cute, clever.
Will astonish as well as tickle you. The whole thing should prove mighty amusing to anyone.

SAN FRANCISCO EXAMINER
Bill, you were magnificent—a lovebird actor with all the qualities of a sophisticated Gable, rugged Wayne and handsome Peck.
As much fun for grownups as youngsters.
Engaging from start to finish with romance and suspense.

SAN FRANCISCO CALL BULLETIN
Novelty, the like of which you've never seen before.
Different. Charming.
A diverting novelty for anyone's money.

SEATTLE TIMES
An hour of sheer delight. Almost incredible. Exceptional entertainment for all the family.

WASHINGTON EVENING STAR
It ought to give the young and the young in heart a pleasant hour.
Told with a great deal of charm.

WASHINGTON TIMES HERALD
A definite avian triumph.
A new chapter in flicker history has been made.

featuring BURTON'S LOVE BIRDS and Curley Twiford's JIMMY THE CROW
Directed by Dean Riesner • Screen Play by Royal Foster and Dean Riesner • Based on an Idea from Ken Murray's Blackouts
A REPUBLIC PRODUCTION

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DO NOT REMOVE

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 82 NEW YORK, U. S. A., WEDNESDAY, APRIL 28, 1948 TEN CENTS

Annual Filing Of Ticket Tax Returns Asked

Congressional Group Would Simplify System

WASHINGTON, April 27.—A system whereby theatres would make monthly payments on admission taxes, as at present, but file only one annual return has been recommended by a special Congressional advisory group.

The report came from a committee appointed by the Joint Committee on Internal Revenue Taxation to make suggestions for improving U. S. tax collection systems.

The admission tax suggestion was part of a broad recommendation to use the depositary receipt system of paying taxes for social security taxes and for all excises. The depositary system is at present confined to withholding taxes. Employers, within 10 days after the close of each calendar month, pay the withholding tax to a specially-

(*Continued on page* 10)

Trumbo Trial Opens Before New Judge

WASHINGTON, April 27.—Trial of screen writer Dalton Trumbo for contempt of Congress opened before Federal Judge David A. Pine today.

Assignment of a new judge gave the defense the opportunity to present again all of the preliminary motions denied by Justice Edward M. Curran in the trial of John Howard Lawson, who was convicted on the same charge last week.

Judge Pine, however, refused to permit the trial to be moved outside the District of Columbia, and is expected to deny a motion to discharge the jury panel on the grounds that the jury commissioners exercise a "systematic

(*Continued on page* 10)

Ontario Orders 60% Of U. K. Films Cut

WASHINGTON, April 27.—A far higher percentage of British pictures required changing to pass the Ontario Board of Censors during 1947 than American films, according to a report by Commerce Department film consultant Nathan D. Golden.

Out of 47 British films reviewed by the Ontario board, 29—or better than

(*Continued on page* 3)

Para. Theatre Here In Specially-edited Newsreel Telecast

By MANDEL HERBSTMAN

In another surprise theatre television move here last night, Paramount flashed on to the screen of the Paramount Theatre specially-edited highlights of General Omar Bradley's speech before the New York State Magazine Publishers' dinner at the Waldorf Astoria Hotel. The event was projected on the theatre screen 15 minutes after it took place.

Columbia Broadcasting System televised the event in its prescribed channel, and at the same time fed the picture to Paramount's relay channel. Paramount received the event on its television equipment in the projection room of the theatre, made the transfer to 35mm. film, edited it, and then sent it through its regular projection machines onto the screen.

The images received at the thea-

(*Continued on page* 3)

N. Y. Visitors Not Attracted by Films

With the exception of Radio City Music Hall, New York theatres share very little of the city's billion-dollar annual tourist trade, according to an annual survey just completed by Lynn Farnol, Eastern advertising-publicity head of Samuel Goldwyn Productions.

The Music Hall and Rockefeller Center, of which the theatre is a part, continue to be "musts" on the New York visitors' list. Other Broadway showcases, despite "name" bands and stage attractions, get little more out-of-town business than the footsore and weary drop-in trade, the Farnol study contends. The legitimate theatre, however, continues to be a strong draw for visitors.

Farnol's study says New York's tourist peak was reached in 1946. Last year, railroad travel was off less than five per cent and hotel occupancy two

(*Continued on page* 10)

Loew's - UA Buy Up Louisville House

LOUISVILLE, April 27.—Loew's Theatre here, largest film house in Kentucky and one of the South's biggest, has been purchased from the Theatre Realty Corp. by the Louisville Operating Co., which is owned jointly by Loew's and United Artists. The buyer operated the theatre on a lease which still has some time to run.

While the purchase price was not disclosed, it is known that the building's original cost in 1928, including the ground, was around $1,148,000.

High Court Is Ready To Clear Decisions

Washington, April 27.—The Supreme Court, with a huge backlog of cases to dispose of before it recesses in mid-June, will probably hand down decisions every Monday from now on, a court official said today.

Long lists of opinions are expected on both May 3 and May 10. The decision in the Government's anti-trust suit against the industry is among the cases before the court. Appeals were argued last Feb. 9-11 in the industry case.

20th Sales Drive for Smith's Anniversary

Twentieth Century-Fox has designated the four-week period starting May 30 as "Andy Smith Anniversary Month" in honor of the general sales managers' first year as head of distribution. W. C. Gehring, assistant general sales manager, will supervise the drive.

The company's entire schedule of releases since January 1 will be available for the drive. Pictures include: "Captain from Castile," "You Were Meant for Me," "Call Northside 777," "Gentleman's Agreement," "An Ideal Husband," "Sitting Pretty," "Scudda Hoo! Scudda Hay!" "Fury at Furnace Creek," "The Iron Curtain" and "Anna Karenina."

Intensive advertising-publicity campaigns will support all pictures, under supervision of Charles Schlaifer, director of advertising-publicity.

Argentine Imports On Individual Basis

While American distributors here still await details of Argentina's new restrictions limiting feature film imports to only 25 per cent of last year's releases, MOTION PICTURE DAILY learns here that the granting of permits in that country will be subject to individual study of each application.

Meanwhile, foreign distribution heads of U. S. companies here expect to secure a full clarification of their position in the South American country upon the arrival in New York shortly of MPAA representatives from Buenos Aires. Protests are expected to be filed by the American companies with the State Department.

Cables received here from the Argentine capital by the same private

(*Continued on page* 3)

Tax-Free Plan On Divestiture To House Body

Ways and Means Group Awaits Treasury Views

WASHINGTON, April 27. — The House Ways and Means Committee today discussed—but withheld decision pending conversations with and recommendations from the Treasury Department—proposals to make tax-free any gain realized by motion picture companies from selling theatre interests pursuant to a decision in the Paramount case, provided the proceeds from the sale are reinvested in other theatre properties.

Paramount and other companies have been trying to get such a provision included in a tax revision bill to be reported this session by the House committee.

Discussion was generally favorable to the proposal, a committee member said, but not so favorable that an ad-

(*Continued on page* 11)

Remove Licenses For Film Exports

WASHINGTON, April 27.—Exposed film shipments to European countries will no longer need export licenses, the Commerce Department announced today.

Since March 1, exports to Europe have required special licenses. Effective immediately, the status of film shipments returns to that existing before March 1 when film companies merely marked "general license" on shipments.

The general license system applies to all "exposed and developed motion picture films, negative and positive, of

(*Continued on page* 3)

In This Issue

"Anna Karenina" and "Green Grass of Wyoming" are reviewed today on page 6; "French Leave," "The Bold Frontiersman" and "Crossed Trails" on page 10. Short subject reviews are on page 10.

Key city grosses are reported on page 6, and the Booking Chart appears on page 7.

Would Bar Duals in Chicago Trust Case

CHICAGO, April 27.—Motion for a preliminary injunction to prevent the Tivoli, Tower, Maryland and Lex theatres here from double-featuring ahead of the Kimbark Theatre was made in U. S. District Court by Seymour Simon, attorney for the Kimbark in its $510,000 anti-trust suit against the distributors and circuits here. The Tivoli, Tower and Maryland are owned by Balaban and Katz. defendants in the suit, while the Lex is operated by the Manta-Rose Circuit, non-defendants.

Product specified in the motion against double featuring is that of Warner, Paramount, Columbia, Universal and United Artists. Defendants were given two weeks to answer. Hearings are set for June 11 before Judge Michael Igoe.

Schenck Silent on Resignation Report

Joseph M. Schenck yesterday would neither confirm nor deny Broadway and Hollywood reports that he will soon resign from 20th Century-Fox to devote full time to his theatre interests.

Queried on the recurrent reports, 20th-Fox spokesmen here said Schenck may make an announcement when he returns to the Coast following his current New York visit. Schenck is scheduled to leave here tomorrow. His studio contract reportedly runs to 1952.

Johnston and Skouras On Trade Committee

WASHINGTON, April 27.—Motion Picture Association of America president Eric Johnston and 20th Century-Fox president Spyros Skouras are among the members of the Citizens Committee for Reciprocal World Trade, an organization devoted to securing a three-year extension of the Reciprocal Trade Agreements Act.

Other members are Eastman Kodak treasurer Marion B. Folsom, and Allen W. Dulles, of the law firm of Sullivan and Cromwell.

Howson Heads MPAA Title Committee

Albert Howson of Warners has been appointed by the board of directors of the Motion Picture Association of America to the chairmanship of the title registration committee, which post he relinquished when Warner Brothers resigned from the organization several years ago. Howson has been a member of the committee since its inception in 1925.

Protest DeKalb Tax

CHICAGO, April 27. — Theatre patrons in DeKalb, Ill., protesting the four per cent amusement tax imposed recently on the town's two theatres as being discriminatory, have brought the issue to the Chamber of Commerce there, which will meet with the mayor and city council in an effort to have the tax repealed.

Personal Mention

ROBERT WOLFF, managing director for RKO Radio in Britain, will sail from New York tomorrow for England on the *S.S. Queen Elizabeth*.

•

JOHN O. DENMAN, manager of Fox Intermountain's Mayan Theatre, Denver, has moved to Pocatello, Idaho, as city manager, succeeding ROBERT ANDERSON, transferred to Butte as city manager. FRANK H. RICKETSON III is the new Mayan manager.

•

VIRGIL JACKSON of Jackson-Murphy theatres, Columbus, O., who was military attache at various American legations in the Near East during the war, has resumed his Army commission as colonel.

•

JOSEF C. DINE, National Broadcasting trade news editor here, has been elected president of the New York chapter of the 36th Infantry Division Association.

•

VINCENT OCHS has resigned as managing director of the New Broadway and Olympia theatres, Cleveland, to operate his own drive-in now under construction at Adrian, Mich.

•

JACK ALICOATE of Eagle-Lion's home office publicity staff, will be married here tomorrow to JENI FREELAND of Florida.

•

MARVIN SAMUELSON, who is associated with Ohio Theatre Service Corp., Cleveland, and LILY GLANS will be married on June 19.

•

GENE ALEXANDER has been named manager of the State Theatre, Mt. Sterling, Ohio, succeeding DANIEL GRISSO.

JOHN DONOHUE of ABC's network sales office in Detroit, is visiting the network's headquarters here.

•

ED HARRISON, formerly district manager for E. M. Loew's Theatres in Hartford, and Springfield, Mass., has been named manager of the Fabian-Hellman Tri-City drive-in at Binghamton, N. Y.

•

J. C. SHANKLIN, president of Motion Picture Theatre Owners of West Virginia, and MRS. SHANKLIN have returned to their home in Ronceverte, W. Va., from Miami Beach.

•

SALLY LEVINE, secretary to L. J. SCHLAIFER of Eagle-Lion, and daughter of HERMAN LEVINE, Warner real estate executive, has become engaged to ERNEST PINTER, here.

•

LOUISE DEESE, secretary to H. D. HEARN, owner and operator of Exhibitor's Service, Charlotte, and WILLIAM BURKHARD will be married on June 12.

•

JACK E. AUSTIN, Wilby-Kincey city manager in Charlotte, has been elected chairman of the Shrine Bowl board of governors for the coming year.

•

GEORGE J. EPP, Universal-International home office projectionist, will celebrate his 30th anniversary with the company Saturday.

•

LEONARD HOLE has been named general manager of DuMont's station WABD, New York.

•

CHARLES DIETZ, M-G-M field representative in Detroit, is visiting in New York.

Services Today for CRI's Barry Halbert

Funeral services for Barry Halbert, former Western district manager for Confidential Reports, Inc., will be held today at Haley's Funeral Parlor in Westfield, Mass., the CRI home office reported here yesterday.

Halbert, who had been with CRI since its early days until the time of his death on April 19 in Los Angeles, is survived by a son and widow.

Safety Award to MGM

For the second time, a Metro-Goldwyn-Mayer "Theatre of Life" factfilm, produced in cooperation with the Associated Press, has won the annual award of the National Committee on Films for Safety, for "the year's best theatrical motion picture on safety." This year's winner is the two-reel "Going to Blazes," on America's fire losses.

Wallis Talks Continue

Hal Wallis, in New York for discussions with Paramount on a new releasing deal, said yesterday that negotiations are expected to continue for another week. The producer is due to return to the Coast at the week end.

$92,000,000 Kodak Sales in Quarter

FLEMINGTON, N. J., April 27.—Eastman Kodak's motion picture and all other sales for the first quarter of 1948 totaled $92,000,000, a 29 per cent increase over the same period in 1947, Thomas J. Hargrave, company president, told the annual stockholders' meeting here today.

He disclosed that some $40,000,000 has been budgeted for 1948 to provide new production, laboratory and other facilities. About $25,000,000 will be spent in Rochester, mostly at Kodak Park.

'Youth Month' Luncheon

Plans for a "Youth Month" as a phase of the community relations program adopted at the recent Theatre Owners of America convention will be presented here Friday at a Hotel St. Moritz luncheon to which industry leaders and trade press representatives have been invited. Charles P. Skouras, National Theatres president and chairman of the TOA youth drive committee, and Ted R. Gamble, TOA president, will be hosts at the luncheon.

Newsreel Parade

CHURCHILL'S tribute to the U. S., Secretary Marshall's return from Bogota, and Mrs. Roosevelt being greeted in Holland are current newsreel highlights. An array of sports, fashions and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 34—[illegible]ota: Inter - American conference. L[illegible]on: Churchill thanks U. S. for Marshall Plan. Battleship Texas becomes state shrine. California: Navy scientists test aerial torpedoes. New York opens national appeal for needy children. Lew Lehr's "New Look" for men. Penn relays.

NEWS OF THE DAY, No. 268—Churchill's remarkable tribute to America. Secretary Marshall home. Children march to aid overseas hungry. That "New Look" in men's hats. Olympic hopefuls in college relays.

PARAMOUNT NEWS, No. 71—Famed warship becomes state shrine. Mrs. Roosevelt greeted in Holland. Secretary Marshall home from Bogota. Zero hour in the Holy Land. Wrestling.

UNIVERSAL NEWS, No. 138—Berlin railroad station blasted. Reconstruction of Cologne cathedral. Hamburg crowds at sports event. Scores die in English train wreck. Dutch honor Mrs. Roosevelt. Kids parade for UN aid. Zany hats for men shown in Hollywood. Motorcycle mud derby. Wrestling.

WARNER PATHE NEWS, No. 73—De Gasperi thanks U. S. Cancer research center opened. Germany rebuilds. Bernarr Macfadden weds. Japs on picnic to marry. Gorgeous George and My Request win Wood Memorial.

13 Releases Are Set by Eagle-Lion

Eagle-Lion releases have been set through July; 13 films are scheduled, as follows:

May 5, "Open Secret"; May 12, "Prairie Outlaws"; May 19, "Assigned to Danger"; May 26, "Raw Deal"; June 2, "Sword of the Avenger"; June 9, "Close-Up"; June 16, "The Tioga Kid"; June 23, "Mickey"; June 30, "Canon City"; July 7, "The Spiritualist"; July 14, "Oliver Twist"; July 21, "Shed No Tears"; July 28, "Northwest Stampede."

Two New Theatres For Kentucky Towns

LOUISVILLE, April 27.—Construction of the New Lane Theatre being built in Williamsburg for Foster Lane is moving along rapidly, and an opening date has been set for June 10. Foster operates the Dixie in Williamsburg.

Also going into finishing stages is the New Valley Theatre for Norris Smith and Clark Bennett in Taylorsville. It is expected to open around June 1.

Two New Charlotte Runs

CHARLOTTE, April 26.—Construction of Central Theatre, Charlotte, is under way and it will be ready for opening on July 4, according to H. B. Meiselman, owner. Meiselman says C. C. Benton, who drew plans for the Central, has also completed plans for a theatre for Negroes which will also be built in Charlotte.

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Ex-BBC Aide Links Video Needs, Radio

PHILADELPHIA, April 27. — British Broadcasting Corp. authorities regard television programming as a medium in its own right and not as a development of either the legitimate theatre or motion pictures, according to Dennis Johnston, British journalist, playwright and former program manager of the BBC Television Service.

In an interview over Station WCAU, Johnston pointed out that the British estimate an audience of four viewers to each set, and that video sets in public places are a rarity. Before the war 30,000 sets were in use, he said, adding that receivers are now being installed as rapidly as they can be produced.

Programs geared for home consumption will prove the most popular and stable in the long run, Johnston declared in drawing a parallel with radio which, he said, conceives of its audience of millions in terms of small family groups.

TBA Protests W. U.'s Video Relay Rates

WASHINGTON, April 27.—The Television Broadcasters Association has protested to the Federal Communications Commission that recent inter-city television relay rates filed by Western Union and A. T. & T. are "too high." TBA asked a hearing on the proposed rates.

While the FCC has not yet acted on this request, it is considered likely that hearings will be ordered. Rates filed earlier by A. T. & T. were withdrawn after protests from potential customers.

DuMont Develops Own Video Camera

DuMont Laboratories has developed a camera of its own to record television shows on film and will demonstrate it here next week. The picture is recorded on film from what is described as an especially bright monitor tube. There is no emphasis on speed since the system will be used mainly to record WABD shows on film for distribution to other stations which cannot be reached by cable or radio relay.

Three Join WPIX's Film Deparment

Joseph A. Johnston, former M-G-M newsreel script editor, has been named director of the newsreel editing department of WPIX, *The Daily News* television station in New York, by James S. Pollak, manager of the film department.

Theodore H. Markovic has been named assistant manager of the film department and Robert B. Noack has been appointed film service supervisor.

DuMont Will Expand Its Video Facilities

An expenditure of about $250,00 has been authorized for WABD, key outlet of the DuMont television network, it was announced here yesterday by Lawrence Phillips, director of the net. The money will be used on new studio, transmitter and remote pickup equipment.

Paramount Video

(*Continued from page* 1)

tre were visibly distorted. Although the cause of the poor reception was not immediately ascertainable, it was believed due to the cameras being out of focus at the source of the telecast. The distortion came in sharp contrast to the well-defined images received two weeks ago on the same theatre screen when Paramount first demonstrated its special film recording system.

The telecast last night, lasting approximately 15 minutes, was divided into two parts. The first half of the general's speech was the portion that was specially edited. The second portion brought the general's concluding words to the screen unedited just 66 seconds after he spoke them.

As in the previous telecast at the theatre, the audience was not apprised the full-screen television was going to take place prior to the announcement on the screen. Scattered patrons questioned about the telecast showed an eager response to it.

Paul Raibourn, Paramount vice-president in charge of television, asserted last night that television will be thrown on the theatre screen from time to time. He said that as yet there are no plans to bring any special events to the screen at advanced admission prices.

3 New Companies Are Incorporated in N.Y.

ALBANY, N. Y., April 27.—Two film companies, including one to deal in films, radio and television equipment, and a new television publication, *Television Guide*, have been incorporated here. Marcell A. Palmero, Albert O'B. Andrews and Daniel F. Kelley, Jr., all of New York City, are incorporators of Telemovies, Inc., with Sullivan and Cromwell, New York, as attorneys.

The third company is Training Films, Inc., for which Henry R. Bright, New York, is incorporating attorney.

Syndicated Video By Transcriptions

CINCINNATI, April 27.—"It is possible for network television syndication to be accomplished by television transcriptions until radio relay or coaxial cables can be provided and operated at reasonable cost," declared Dr. Thomas T. Goldsmith, director of research and Harry Milholland, senior engineer of Allen B. DuMont Laboratories, at the IRE Television Symposium here.

Radio-Video Center For Philadelphia

PHILADELPHIA, April 27.—Plans for establishment of a Westinghouse-Philco radio and television center, to house all radio and television broadcasting activities of the two companies in the Philadelphia area, are revealed by Walter Evans, president of Westinghouse Radio Stations, Inc., and John Ballantyne, president of Philco Television Broadcasting Corp.

Trailers by Television

BALTIMORE, April 27.—First television trailers in Baltimore are being used over a local station by Keith's Theatre. They show the stay-at-homes a trailer of the current attraction.

Approves 'Mistress' Title for Rank Film

The Motion Picture Association of America announced here yesterday that its board of directors has approved the recommendation of the MPAA's title registration committee to permit the use of the word "mistress" in "Mistress Marsham's Repose," as submitted by Ealing Studios of the J. Arthur Rank Organization, London.

The MPPDA, predecessor of the MPAA; banned the word "mistress" more than 10 years ago. Exception was made in this instance, it was said, because it is used as "a proper name" in the story.

Eire Cuts Ticket Tax; Old Prices Return

DUBLIN, April 24 (By Airmail). — In fulfillment of one of the election pledges given by the new government, the entertainment taxes have been reduced in Eire and the old admissions prices returned. During the short period of heavily increased entertainment taxes—they went into effect January 16, and in some cases amounted to well over 100 per cent of the admission price—the revenue authorities obtained substantial returns from the high taxes collected from reduced patronage, but exhibitors were threatened with bankruptcy.

Australia Refuses To Reduce Taxes

SYDNEY, April 23 (By Airmail).—Australian Prime Minister Ben Chifley has told the Federal Cinema Exhibitors' Council that the entertainment tax will not be reduced this year. The FCEC, which comprises exhibitor organizations in Victoria, Queensland, South Australia and West Australia, claims that the tax could be reduced without hurting the Commonwealth's exchequer. Chifley does not agree.

SOPEG-SPG Panel Is Slated for May 8

An all-day wage and policy conference will be held here jointly by the Screen Office and Professional Employes Guild and the Screen Publicists Guild on May 8. Representatives of each department of all major companies will be present.

Pick 'IA' Meeting Site

The IATSE has selected the Cleveland Public Auditorium in that city as the site for its week-long bi-annual convention which will get under way on Aug. 16. Richard F. Walsh, "IA" international president, will return to New York today from Cleveland where he has been making preparations for the convention.

To Organize 16mm. Work

Film Exchange Employes Local No. B-51, IATSE, has launched an organizational drive among the "back-room" employes of 16mm. distributors here. Some 100 employes in 12 offices are eligible for unionization. Conrad Forschner is the local's business agent.

'Reds' Extending Theatre Control

By H. ZU LOEWENSTEIN

BERLIN, April 23 (By Airmail).—The Communist grab of all motion picture theatres, reported some time ago from the Soviet-occupied German state of Mecklenburg, has now been extended to the state of Saxony, principal cities of which are Dresden and Leipzig.

The courts and the administration of Saxony, completely dominated by Russia, have refused to listen to the complaints of owners deprived of their theatres, even though the state constitution guarantees the right of private property.

A spokesman for the Saxon government has explained that "those former owners who are politically reliable (and this can be translated as meaning those who submit to Communist Party rules) may continue working as business managers."

Like the principal factories and industrial enterprises in the Eastern zone, the theatres are now designated as "peoples' property."

In Vienna, negotiations are under way for an exchange of motion pictures between Germany and Austria. According to the latest information, for each Austrian picture brought to Germany, three German pictures will be shown in Austria.

Argentine Imports

(*Continued from page* 1)

sources which reported the original 75 per cent ban on imports as first disclosed in MOTION PICTURE DAILY on April 15, said here yesterday that the decree, as issued by the Central Bank of the republic does permit priority exchange licenses for the importation of eight and 16mm. films, both silent and sound, also 35mm. film if they are of an educational, documentary, or newsreel nature. The new ruling is effective until June 30.

Permits will not be granted to films emanating from any country where there is no free exchange of licenses. Each permit application must detail the cost and origin of each production.

U. K. Films Cut

(*Continued from page* 1)

60 per cent—required changes. Out of 453 Hollywood features, 78—about 17 per cent—required changes and two were rejected entirely.

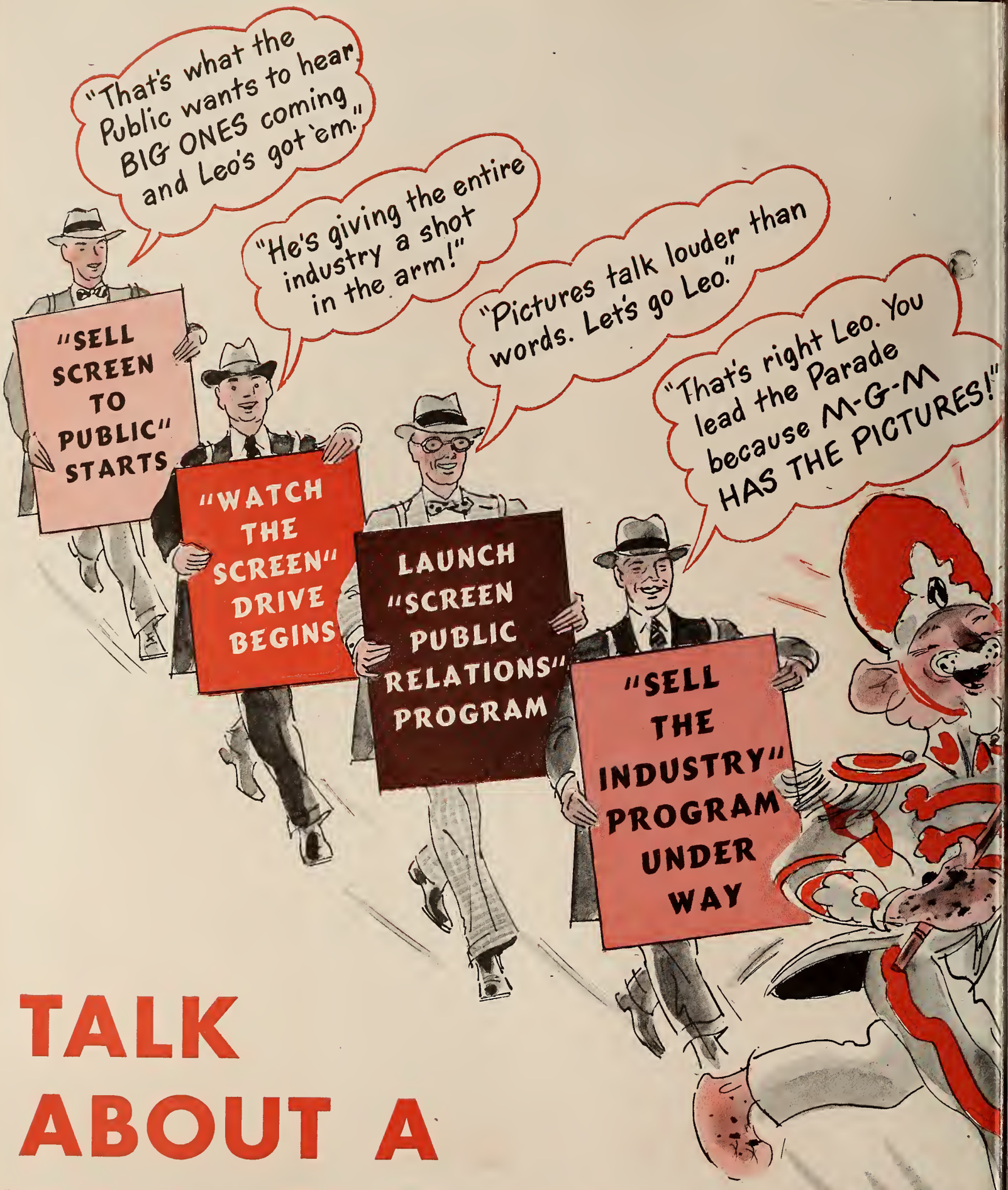
Principal criticisms of U. S. pictures, the report states, were directed against gangster films, too frequent use of subject matter entailing murder, and psychological dramas which "relate to a disordered mentality involving the commission of murder or self-destruction." The report adds that objections are more pronounced when the subject includes domestic infidelity.

Eliminate Licenses

(*Continued from page* 1)

an entertainment, newsreel and educational character." Sensitized, unexposed film will still require a license for shipment to European areas.

Commerce Department motion picture consultant Nathan D. Golden said that the Department's action gives motion pictures "status as a media of communication similar to newspapers and radio."



TALK ABOUT A "SELL-THE-INDUSTRY" CAMPAIGN!

M·G·M GREAT IN '48!

M-G-M HAS THE PICTURES!

See current hits "Bride Goes Wild," "B. F.'s Daughter," "Killer McCoy," "Three Daring Daughters" (Technicolor), etc.

APRIL 29

SPENCER TRACY, KATHARINE HEPBURN, VAN JOHNSON, Angela Lansbury, Adolphe Menjou, Lewis Stone in Frank Capra's "STATE OF THE UNION."

MAY 20

"SUMMER HOLIDAY" in Technicolor. MICKEY ROONEY, GLORIA DeHAVEN, Walter Huston, Frank Morgan, Butch Jenkins, Marilyn Maxwell, Agnes Moorehead, Selena Royle.

MAY 27

CLARK GABLE, LANA TURNER, Anne Baxter, John Hodiak in "HOMECOMING" Ray Collins, Gladys Cooper, Cameron Mitchell.

JUNE 10

"BIG CITY" MARGARET O'BRIEN, Robert Preston, Danny Thomas, George Murphy, Karin Booth, Edward Arnold, Butch Jenkins, Betty Garrett, Lotte Lehmann.

JUNE 24

"ON AN ISLAND WITH YOU" in Technicolor. ESTHER WILLIAMS, PETER LAWFORD, RICARDO MONTALBAN, JIMMY DURANTE, CYD CHARISSE, XAVIER CUGAT.

JULY 8

Irving Berlin's "EASTER PARADE" in Technicolor. JUDY GARLAND, FRED ASTAIRE, PETER LAWFORD, ANN MILLER.

JULY 29

"A DATE WITH JUDY" in Technicolor. WALLACE BEERY, JANE POWELL, ELIZABETH TAYLOR, CARMEN MIRANDA, XAVIER CUGAT, ROBERT STACK.

AUGUST 5

GREER GARSON, WALTER PIDGEON in "JULIA MISBEHAVES" PETER LAWFORD, ELIZABETH TAYLOR, CESAR ROMERO, Lucile Watson, Nigel Bruce, Mary Boland, Reginald Owen.

AUGUST 12

RED SKELTON, BRIAN DONLEVY in "A SOUTHERN YANKEE" Arlene Dahl, George Coulouris, Lloyd Gough, John Ireland, Minor Watson.

SEPTEMBER

"THE THREE MUSKETEERS" in Technicolor. LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, Frank Morgan, Vincent Price, Keenan Wynn, John Sutton, Gig Young.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

PHILADELPHIA

"Fort Apache" opened strong at the Stanley and proved the city's most popular film offering. Estimated receipts for the week ending April 27-29:

B. F.'S DAUGHTER (M-G-M)—BOYD (3,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $17,600. (Average: $23,100)

THE BIG CLOCK (Para.)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $12,000. (Average: $12,000)

THE BRIDE GOES WILD (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $13,000. (Average: $22,400)

BLACK BART (U-I)—STANTON (1,700) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $8,800. (Average: $11,900)

CALL NORTHSIDE 777 (20th-Fox)—KEITH (2,200) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $6,500. (Average: $6,100)

FORT APACHE (RKO Radio)—STANLEY (3,000) (50c - 60c - 74c - 80c-85c-94c). Gross: $31,000. (Average: $20,500)

I REMEMBER MAMA (RKO Radio)—ERLANGER (1,800) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $11,000. (Average: $18,000)

MIRACLE OF THE BELLS (RKO Radio)—EARLE (3,000) (50c-60c-74c-80c-85c-94c) 5th week. Gross: $18,700. (Average: $24,300)

SAINTED SISTERS (Para.)—ALDINE (900) (50c-60c-74c-80c-85c-94c). Gross: $13,500. (Average: $13,200)

SITTING PRETTY (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $20,000. (Average: $20,400)

THREE DARING DAUGHTERS (M-G-M)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $5,200. (Average: $6,000)

WINTER MEETING (WB)—MASTBAUM (4,700) (50c-60c-74c-80c-85c-94c). Gross: $25,500. (Average: $27,800)

CHICAGO

Loop gross leader by a wide margin is "Casbah." Other new films, "The High Wall" and "If Winter Comes," are average. Business on the whole remains sluggish. Hot weekend weather kept patrons out of the Loop. Estimated receipts for the week ending April 29:

A DOUBLE LIFE (U-I)—PALACE (2,500) (67c-98c) 5 days, 2nd week. **THE NAKED CITY (U-I)** 2 days. Gross: $23,000. (Average: $22,000)

APRIL SHOWERS (WB)—ROOSEVELT (1,500) (98c) 2nd week. Gross: $16,000. (Average: $23,500)

CASBAH (U-I)—ORIENTAL (3,300) (98c). On stage: Tony Martin. Gross: $68,000. (Average: $40,000)

CASS TIMBERLANE (M-G-M)—WOODS (98c) 7th week. Gross: $14,000. (Average: $23,000)

DESIGN FOR DEATH (RKO Radio)—GRAND (1,150) (67c-98c) 4 days, 2nd week. **THE HUNTED (Allied Artists)** 3 days. Gross: $16,000. (Average: $16,000)

GENTLEMAN'S AGREEMENT (20th-Fox)—APOLLO (1,200) (98c-$1.25) 25th week. Gross: $7,500. (Average: $17,000)

IF WINTER COMES (M-G-M)—MONROE (953) (50c-67c-95c). Gross: $18,000. (Average: $13,500)

RUTHLESS (Eagle Lion)—STATE LAKE (2,700) (98c). On stage: Jack Owens. 2nd week. Gross: $24,000. (Average: $35,000)

THE BIG CLOCK (Para.)—CHICAGO (3,900) (98c) 2nd week. Gross: $29,000. (Average: $40,000)

THE HIGH WALL (M-G-M)—UNITED ARTISTS (1,700) (98c). Gross: $23,000. (Average: $23,500)

INDIANAPOLIS

First break of spring has business in a slump at de luxe houses here. Baseball is drawing record crowds. "Saigon" is the leading box-office attraction, although below average for the Indiana. Estimated receipts for the week ending April 27-28:

BLACK FRIDAY (U-I) and THE BLACK CAT (U-I) (Reissues)—KEITH'S (1,300) (44c-65c). Gross: $4,500. (Average: $4,500)

SAIGON (Para.)—INDIANA (3,200) (44c-65c). Gross: $11,000. (Average: $12,000)

THE SECRET BEYOND THE DOOR (U-I) and ANGEL'S ALLEY (Mono.)—LYRIC (1,600) (44c-65c). Gross: $5,000. (Average: $6,000)

TENTH AVENUE ANGEL (M-G-M) and ALIAS A GENTLEMAN (M-G-M)—LOEW'S (2,450) (44c-65c). Gross: $9,000. (Average: $11,000)

THE WOMAN IN WHITE (WB) and LIGHTNIN' IN THE FOREST (Rep.)—CIRCLE (2,800) (44c-65c). Gross: $7,500. (Average: $10,000)

MINNEAPOLIS

Radio City, with a double-header stage show, drew the big business of the week, but "Naked City," at the Orpheum, pulled well above average. Estimated receipts for the week ending April 29:

ALIAS A GENTLEMAN (M-G-M)—RADIO CITY (4,000) (50c-85c). On stage: Stan Kenton's Band and The King Cole Trio. Gross: $35,500. (Average, on a 50c-70c basis: $17,000)

BUCK PRIVATES and ANOTHER FINE MESS (Reissues)—GOPHER (1,000) (44c-50c). Gross: $3,200. (Average: $3,500)

GENTLEMAN'S AGREEMENT (20th-Fox)—CENTURY (1,500) (50c-70c) 3rd week, on a moveover from Radio City. Gross: $6,800. (Average: $6,100)

NAKED CITY (U-I)—RKO ORPHEUM (2,800) (50c-70c). Gross: $16,500. (Average: $13,500)

PANHANDLE (Mono.)—RKO PAN (1,500) (50c-70c). Gross: $6,500. (Average: $8,800)

SCUDDA HOO! SCUDDA HAY! (20th-Fox)—LYRIC (1,100) (50c-70c) 2nd week, on a moveover from the State. Gross: $5,700. (Average: $5,500)

TO THE VICTOR (WB)—STATE (2,300) (50c-70c). Gross: $6,500. (Average: $11,800)

DENVER

In a moveover at the Aladdin, "Sitting Pretty" caught on and gave the house double its average. "Big Clock" tied for the opening week in its second at the Denham, and stays three more days to get the house back to a Friday opening. Estimated receipts for the week ending April 27-29:

APRIL SHOWERS (WB) and LIGHTNIN' IN THE FOREST (Rep.)—DENVER (2,525) (35c-74c). Day and date with the Esquire. Gross: $13,500. (Average: $13,000)

APRIL SHOWERS (WB) and LIGHTNIN' IN THE FOREST (Rep.)—ESQUIRE (742) (35c-74c). Day and date with the Denver. Gross: $3,000. (Average: $2,000)

BIG CLOCK (Para.)—DENHAM (1,750) (35c-70c) 2nd week. Gross: $12,500. (Average: $11,000)

BISHOP'S WIFE (RKO Radio) and WESTERN HERITAGE (RKO Radio)—ORPHEUM (2,600) (35c-74c) 2nd week. Gross: $11,000. (Average: $13,500)

NAKED CITY (U-I) and CAMPUS SLEUTH (Mono.)—RIALTO (878) (35c-74c). After a week at the Denver, Esquire and Webber. Gross: $4,000. (Average: $3,000)

PANHANDLE (Mono.) and FLAME (Rep.)—PARAMOUNT (2,200) (35c-74c). Day and date with the Webber. Gross: $10,000. (Average: $10,000)

PANHANDLE (Mono.) and FLAME (Rep.)—WEBBER (750) (35c-74c). Day and date with the Paramount. Gross: $3,000. (Average: $2,000)

SITTING PRETTY (20th-Fox) and TENDER YEARS (20th-Fox)—ALADDIN (1,400) (35c-74c). After a week at the Denver, Esquire, Webber and Rialto. Gross: $5,000. (Average: $2,500)

WHERE ARE OUR CHILDREN (Indie) and ARE THESE OUR PARENTS? (Indie)—TABOR (1,967) (35c-74c). Gross: $7,000. (Average: $8,000)

BUFFALO

The Buffalo had a whopping gross with a stage show and "Tenth Avenue Angel," to lead by a wide margin here. Weather has been pleasantly warm. Estimated receipts for the week ending May 1:

B. F.'s DAUGHTER (M-G-M)—GREAT LAKES (3,000) (40c-50c-60c-70c). Gross: $15,000. (Average: $17,000)

DRUMS OF THE CONGO and CAPTIVE WILD WOMAN (Reissues)—TECK (1,500) (40c-50c-60c-70c) 7 days. Gross: $3,500. (Average: $5,500)

MATING OF MILLIE (Col.)—LAFAYETTE (3,000) (40c-50c-60c-70c). Gross: $16,200. (Average: $15,000)

MIRACLE OF THE BELLS (RKO Radio)—TWENTIETH CENTURY (3,000) (40c-50c-60c-70c). Gross: $18,800. (Average: $15,000)

SITTING PRETTY (20th-Fox) and HEART OF VIRGINIA (Rep.)—HIPPODROME (2,100) (40c-50c-60c-70c) 2nd week, on a moveover. Gross: $10,200. (Average: $10,000)

TENTH AVENUE ANGEL (M-G-M)—BUFFALO (3,489) (advanced prices). (Horace Heidt and His Musical Knights in a stage revue. Gross: $35,000. (Average, at 40c-50c-60c-70c: $18,000)

Reviews

"Anna Karenina"

(Korda-20th Century-Fox)

LEO TOLSTOY'S timeless novel, "Anna Karenina," has been adapted into an ambitious British production, framed with lavish settings and made rich in emotional adventure. With Alexander Korda as producer, the London Film production stars Vivien Leigh and Ralph Richardson. In the title role of the Russian woman whose pursuit of love leads her to destruction, Miss Leigh gives an expertly modulated performance. Old cinema memories will recall the days of Garbo in the same role.

From a merchandising standpoint, the film will quite naturally delight the more literate film-goers. But as a study of love doomed to frustration, it also holds a basic fascination that characterizes it as a "woman's picture." Under intelligent exploitation, it should bring in rewarding returns.

As those familiar with the Tolstoy tragedy know, Anna meets and falls in love with a dashing young count, with the resultant collapse of her marriage. Fighting for love against the tides of convention, she has her child taken from her, and eventually loses her lover, too. As seems her fateful destiny, she takes her life in the end. Drama of colossal proportions is contained in the film, but it has its weak moments when the pace slows down heavily. As the impetuous count, Kieron Moore provides an effective counterpoint to Richardson as the righteous and inflexible husband. Julien Duvivier directed and collaborated on the screenplay with Jean Anouilh and Guy Morgan. Herbert Mason was associate producer.

Running time, 110 minutes. Adult audience classification. For May release.

MANDEL HERBSTMAN

"Green Grass of Wyoming"

(20th Century-Fox)

"GREEN GRASS OF WYOMING" is good news for exhibitors who experienced fine results with those other two films based on Mary O'Hara stories, "My Friend Flicka" and "Thunderhead." Like its predecessors, this one, also in Technicolor, is heart-warming and crowded with human interest, providing entertainment which every member of the household can relish. It carries the appeal of the wide-open spaces—an appeal heightened by color that captures all the vivid beauty of broad landscapes and towering mountains.

The horse about which this plot revolves is called Crown Jewel. The story relates his young master's (Robert Arthur's) love for the animal and the youth's labors to develop her as a champion trotter in the face of bitter competition offered by his father's (Lloyd Nolan's) foe (Charles Coburn). A trotting race provides an exciting climax. Although Crown Jewel loses the race, she more than makes up for it by bearing Thunderhead, a colt.

Peggy Cummins, Coburn's daughter, and Arthur supply the romantic interest. They and their co-players give good accounts of themselves. Burl Ives is good in some musical interludes. Louis King directed well, and Robert Bassler produced effectively.

Running time, 89 minutes. General audience classification. For June release.

P. E. L.

$280,604 to Chicago From 3% Ticket Tax

CHICAGO, April 27.—Local theatre admissions taxes brought $130,327 in January and $150,277 in February to the city treasury.

Feldman With Radiant

CHICAGO, April 27.—Herschel Y. Feldman, formerly director of research for International Printing Pressmen and Assistants Union of North America, has joined Radiant Manufacturing Corp. as assistant sales manager.

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AMERICAN AIRLINES

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	S.R.O.	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
Mar. 7		THE WESTWARD TRAIL Eddie Dean O—58 min. (855) (Rev. 3/3/48)	(Mar. Releases) THREE DARING DAUGHTERS (Color) Jeanette MacDonald MC—115 min. (817) (Rev. 2/13/48)	ANGELS ALLEY Leo Gorcey D—67 min. (4708) (Rev. 1/22/48)	SAIGDN Alan Ladd Veronica Lake D—94 min. (4710) (Rev. 2/4/48)		(Block 2) NIGHT SONG Dana Andrews D—102 min. (800) (Rev. 11/12/47)		(Mar. Releases) GENTLEMAN'S AGREEMENT Gregory Peck Dorothy McGuire D—118 min. (806) (Rev. 11/10/47		(March-April Releases) A DOUBLE LIFE Ronald Colman Signe Hasso D—104 min. (050) (Rev. 12/24/47)	(Reissue) ADVENTURES DF ROBIN HOOD (Color) Errol Flynn Olivia de Havilland D—102 min. (718) (Rev. 4/27/38)
Mar. 14	THE RETURN OF THE WHISTLER Michael Duane D—66 min.	THE OCTOBER MAN John Mills D—85 min. (818) (Rev. 3/18/48)	ALIAS A GENTLEMAN Wallace Beery C—76 min. (818) (Rev. 2/4/48)			THE INSIDE STDRY Marsha Hunt D—87 min. (305) (Rev. 3/25/48)			(Reliance) THE CHALLENGE Tom Conway D—68 min. (807) (Rev. 2/26/48)			
Mar. 21	ADVENTURES IN SILVERADO William Bishop D WEST DF SENORA Charles Starrett D	THE ENCHANTED VALLEY (Color) Alan Curtis (Rev. 3/26/48)	THE BRIDE GOES WILD Van Johnson June Allyson C—98 min. (819) (Rev. 2/20/48)	DDCKS OF NEW ORLEANS D—04 min. (4712) (Rev. 3/18/48)	MR. RECKLESS William Eythe D—66 min. (4712) (Rev. 3/3/48)	BILL AND CDD (Color) D—61 min. (Rev. 12/20/47) LIGHTNIN' IN THE FDREST Lynne Roberts D—58 min. (Rev. 4/16/48)	WILD HORSE MESA Tim Holt O—61 min. (808) (Rev. 11/17/47)		(Wurtzel) HALF PAST MIDNIGHT Kent Taylor D—69 min. (808) (Rev. 2/19/48)	(Mar. Release) (Enterprise) ARCH OF TRIUMPH Ingrid Bergman Charles Boyer D—120 min. (Rev. 2/18/48)	THE NAKED CITY Barry Fitzgerald Dorothy Hart D—96 min. (051) (Rev. 1/21/48)	APRIL SHOWERS Jack Carson Ann Sothern D—94 min. (719) (Rev. 3/10/48)
Mar. 28	SONG OF IDAHD Kirby Grant D THE SIGN OF THE RAM Susan Peters D—84 min. (Rev. 2/2/48)	RUTHLESS Zachary Scott D—104 min. (Rev. 4/6/48)		(Allied Artists) THE HUNTED Belita Preston Foster D—85 min. (AA5) (Rev. 2/4/48)		CALIFORNIA FIREBRAND (Color) Monte Hale O—63 min. (Rev. 4/21/48)	DUT OF THE PAST Robert Mitchum D—97 min. (Rev. 11/17/47)		AN IDEAL HUSBAND (Color) Paulette Goddard D—96 min. (809) (Rev. 1/12/48)		JASSY (Color) Margaret Lockwood Dennis Price D—96 min. (Rev. 2/5/48)	
Apr. 4	MY DOG RUSTY Ted Donaldson D	THE HAWK OF POWDER RIVER Eddie Dean O—54 min. (856) (Rev. 3/11/48)	(Apr. Releases) B. F.'s DAUGHTER Barbara Stanwyck Van Heflin D—103 min. (Rev. 2/17/48)		UNCDNQUERED (Color) Gary Cooper Paulette Goddard D—146 min. (4705) (Rev. 9/25/47)		(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (868) (Rev. 3/9/48)		(April Releases) SITTING PRETTY Robert Young Maureen O'Hara C—84 min. (810) (Rev. 2/24/48) SCUDDA HOD, SCUDDA HAY (Color) Lon McCallister D—95 min. (811) (Rev. 3/3/48)		(April-May Releases) BLACK BART (Color) Yvonne de Carlo Dan Duryea D—80 min. (Rev. 1/29/48)	TD THE VICTDR Dennis Morgan D—90 min. (720) (Rev. 3/30/48)
Apr. 11	PORT SAID Gloria Henry D	THE NODSE HANGS HIGH Budd Abbott Lou Costello C—77 min. (Rev. 4/1/48)	SUMMER HOLIDAY (Color) Mickey Rooney Gloria Henry C—92 min. (Rev. 3/16/48)	CROSSED TRAILS Johnny Mack Brown D		THE BOLD FRONTIERS-MAN Allan "Rocky" Lane O	THE MIRACLE DF THE BELLS Fred MacMurray Frank Sinatra Valli D—120 min. (869) (Rev. 3/2/48)	DUEL IN THE SUN (Color) Jennifer Jones Gregory Peck Joseph Cotten D—132 min. (103) (Rev. 12/31/40)	MEET ME AT DAWN William Eythe (C—81 min. (812) (Rev. 3/18/48)			
Apr. 18	THE MATING OF MILLIE Glenn Ford Evelyn Keyes C—87 min. (Rev. 3/9/48)	THE CDBRA STRIKES Sheila Ryan D	STATE OF THE UNIDN Spencer Tracy Katharine Hepburn D—124 min. (Rev. 3/24/48)	CAMPUS SLEUTH Freddie Stewart D		HEART DF VIRGINIA Janet Martin D	FDRT APACHE John Wayne Henry Fonda D—127 min. (870) (Rev. 3/10/48)	(Reissue) INTERMEZZD Ingrid Bergman D—07 min. (302) (Rev. 9/29/34)	LET'S LIVE AGAIN John Emery D—67 min. (813) (Rev. 2/27/48)	(April Releases) ATLANTIS Maria Montez D—90 min.	CASBAH Tony Martin Yvonne de Carlo D—84 min. (Rev. 3/3/48)	WINTER MEETING Bette Davis James Davis D—101 min. (721) (Rev. 4/7/48)
Apr. 25			TARZAN'S SECRET TREASURE (Reprint) Johnny Weismuller D—81 min. (Rev. 11/14/41)	FRENCH LEAVE Jackie Cooper Jackie Coogan C	THE SAINTED SISTERS Veronica Lake D—89 min. (4714) (Rev. 3/8/48)	DLD LDS ANGELES William Elliott O	I3 LEAD SDLDIERS Tom Conway D		(May Releases) ARTHUR TAKES DVER Lois Collier Jerome Cowan D—63 min. (Rev. 4/5/48)	LAFF-TIME William Tracy Larry Olson C—112 min. (Rev. 4/16/48)	ARE YDU WITH IT? Donald D'Connor Martha Stewart C—90 mi. (Rev. 3/17/48)	(Reissue) VALLEY DF THE GIANTS Wayne Morris Claire Trevor D—78 min. (722) (Rev. 9/12/38)
May 2	BEST MAN WINS Edgar Buchanan C	DPEN SECRET John Ireland Jane Randolph D—70 min. (813) (Rev. 1/16/48)	TARZAN'S NEW YORK ADVENTURE (Reprint) Johnny Weismuller D—71 min. (Rev. 4/15/42)	(Allied Artists) SMART WOMAN Constance Bennett Brian Aherne D—93 min. (Rev. 3/9/48)		UNDER CALIFDRNIA SKIES Roy Rogers D	(Block 3) IF YOU KNEW SUSIE Eddie Cantor Joan Davis C—00 min. (Rev. 1/30/48)		ARTHUR TAKES DVER Lois Collier Jerome Cowan D—63 min. (Rev. 4/5/48)	SO THIS IS NEW YDRK Henry Morgan C—79 min.	DEAR MURDERER Eric Portman Greta Gynt D—84 min. (Rev. 6/20/47)	(Reissue) FIGHTING 69th James Cagney Pat D'Brien D—79 min. (723) (Rev. 1/5/40)
May 9	WHIRLWIND RAIDERS D TRAPPED BY BOSTON BLACKIE D—67 min. (Rev. 4/27/48)	PRAIRIE OUTLAWS Eddie Dean O	(May Releases) HOMECDMING Clark Gable Lana Turner D—113 min. (Rev. 4/5/48)	PARTNERS OF THE SUNSET Jimmy Wakely O—58 min. (4807)	SPEED TD SPARE Richard Arlen D—57 min. (4715) (Rev. 2/24/48)	KING OF THE GAMBLERS William Wright D	TARZAN AND THE MERMAIDS Johnny Weismuller D—68 min. (813) (Rev. 3/23/48)		THE IRON CURTAIN Dana Andrews Gene Tierney D	SILENT CONFLICT William Boyd O—61 min. (Rev. 4/6/48)	ALL MY SONS Edward G. Robinson Burt Lancaster Howard Duff D—93 min. (Rev. 2/19/48)	WOMAN IN WHITE Eleanor Parker Alexis Smith D—109 min. (724) (Rev. 4/20/48)
May 16		ASSIGNED TO DANGER Gene Raymond Noreen Nash D—65 min.		FRONTIER AGENT Johnny Mack Brown O—56 min. (4756)			THE ARIZDNA RANGER Tim Holt O—63 min. (Rev. 3/25/48)		THE COUNTERFEITERS John Sutton Doris Merrick D			
							(Block 5) BERLIN EXPRESS Robert Ryan Merle Dberon D—86 min. (Rev. 4/6/48)		ANNA KARENINA Vivien Leigh Ralph Richardson D—110 min.			

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]

RAY
MILLAND
CHARLES
LAUGHTON
in
"THE BIG CLOCK"
with
Maureen O'Sullivan
George Macready
Rita Johnson
and Elsa Lanchester
Harold Vermilyea
Produced by Richard Maibaum
Directed by JOHN FARROW
Screen Play by Jonathan Latimer

There She Goes, Topping "Dear Ruth" Again and Every Other Hit, Bar One, in More Than a Year at N. Y. Paramount. Look at These Remarkable Opening-day Comparisons with Recent Successes!

TOPS DEAR RUTH	BY	17%
" VARIETY GIRL	"	18%
" GOLDEN EARRINGS	"	12%
" PERILS OF PAULINE	"	6%
" SAIGON	"	4%

Only 2% under "Road to Rio"

WATCH THAT "CLOCK"

Life Magazine, Louella Parsons, and Jimmie Fidler did, and every one of them picked it as their Movie of the Week!

r gloves to this thriller, or you won't have any finger-nails left!" —*says N. Y. Mirror*

APPLAUSE—APPLAUSE—DEAFENING APPLAUSE FROM EVERY CRITIC AS NEW YORK JOINS BOSTON, BUFFALO AND ALL POINTS WEST IN HYSTERICAL PRAISE OF THE GREATEST SUSPENSE THRILLER IN YEARS, FROM

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• • •

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• • •

"Will keep you on the edge of your seat chewing your fingernails down to the elbow. A rising crescendo of tension and suspense that will keep you bouncing with excitement until you find callouses where you sit down." —*Morning Telegraph*

TOO MANY GREAT REVIEWS TO LIST HERE; SEE MORE ON PAGE 11

Short Subjects

"Democracy's Diary"

(*This Is America-RKO Radio*)

The New York Times, a symbol of a free and enlightened press, is the object of a fascinating tour by the cameras of This Is America. Substantial in content and vivid in presentation, the subject rates high in the series. All of the far-flung and manifold details that go into the making of the paper are interestingly documented as the subject starts by showing a giant roll of paper in the press rooms and concludes as the finished newspaper is thrown at the door by the morning newsboy. The subject has wide appeal. Running time, 16 minutes.

"All-American Soap-Box Derby"

(*Emerson Yorke Studio*)

All the sporting excitement of the national soap-box derby has been caught in this adroit film which is available to theatres free in 16mm. and 35mm. Sponsored by United States Rubber, the subject bears the sponsor's imprint in opening and closing shots. Emerson Yorke produced and directed the film which reaches its climax as the youths, in their home-made racers, speed across the finish line in the national finals. Ted Husing narrates and appears in the subject, as does actor James Stewart, briefly. Many houses may be interested in the subject in line with the drive against delinquency by Theatre Owners of America. Running time, 25 minutes.

N. Y. Visitors

(*Continued from page* 1)

and one-half per cent. A further tapering off of tourists is expected to continue through 1948. Increased costs and diminishing savings are believed to be the primary factors but are expected to be overcome in part by low cost club tours, when needed to stimulate tourist business, when new transportation equipment and hotel construction are available.

Nearly 40 per cent of New York's tourists travel by train. Automobiles rank second and planes third as carriers, the survey shows. Minimum expenditures are placed at $20 daily per person, with more than 35 per cent spending between $200 and $499 and 27.5 per cent spending from $500 to $999.

Reviews

"French Leave"

(*Monogram*)

JACKIE COOPER and Jackie Coogan, shipmates, have exciting and amusing adventures on shore-leave as carefree, girl-in-every-port sailors who get mixed up continually in situations which result in their getting a beating. It is an average program picture.

After they complete a trip with Ralph Sanford, their chief, they decide to ship out on another boat. However, they find Sanford on the same ship and again they are in trouble. The boat arrives at Marseilles and the boys are assigned to guard the ship's cargo, causing complications because they had a date on shore. They are highjacked and a black market gang steals the cargo of foodstuffs. There is much confusion as the police, Sanford and the racketeers search for the two after they elude the gang. The film was produced by Sid Luft and directed by Frank McDonald.

Running time, 63 minutes. General classification. Release date, April 25.

"The Bold Frontiersman"

(*Republic*)

THE stalwart hero of this outdoor adventure is Allan (Rocky) Lane. An abundance of fisticuffs and gunplay should make the offering pleasing to Western fans.

Lane rides into town and finds that local ranchers are collecting money to build a water project because a drought is destroying the land. The gambling casino owner is the leader of a gang which attempts to steal the money. The son of the rancher, in charge of the money, is in debt to the gamblers, but the gamblers frame the lad and he is sentenced to be hanged. However, Lane knows that the boy is innocent and gathers the necessary evidence to prove that the gambler committed a murder and stole the funds. Eddy Waller is the sheriff, and Roy Marcroft, the scheming gambler. Gordon Kay was associate producer and Philip Ford directed. Bob Williams wrote the original.

Running time, 60 minutes. General classification. Release date, April 15.

"Crossed Trails"

(*Monogram*)

JOHNNY MACK BROWN, a favorite among Western performers tracks down and captures a band of outlaws in a manner which should interest his fans. There are the usual outdoor scenes and action sequences.

The story centers about a 13-year-old girl who owns a ranch which contains valuable water rights. The local saloon owner attempts to seize the land and frames the girl's guardian, played by Raymond Hatton, and he is put in jail on a murder charge. A nearby rancher who knew that the guardian did not commit the murder is kidnapped by the desperadoes. Brown rescues the rancher and he admits the truth in time to save the innocent one. The film was produced by Louis Gray and directed by Lambert Hillyer, from Colt Remington's screenplay.

Running time, 53 minutes. General classification. Release date, April 11.

Tax Filing

(*Continued from page* 1)

designated Federal Reserve bank. Quarterly, they make out a return to the Government, merely attaching bank receipts as payment for the taxes which the return shows are due.

If the depositary method were applied to social-security payroll taxes and excises, as recommended, each exhibitor and other taxpayer could make one monthly remittance to an approved bank, with a simple statement attached showing the breakdown for each tax. The Federal Reserve bank would report to the Collector of Internal Revenue by types of taxes. The taxpayer's annual return would be adopted for a fiscal year ending at some date other than December 31, in order to reduce the peak load now occurring in the first quarter of the year.

The advisory group's report also recommends making the returns filed for excises disclose more information than at present. Most returns now filed on excises, it adds, "do not provide a basis for any office audit or analysis. They serve no purpose other than to add to the amount of paper work in the Bureau." If more comprehensive annual returns were substituted for the present quarterly and monthly returns, the advisory committee states, "the return itself could be made to afford the basis of an intelligent selection of cases for further investigation or field audit."

The statistical section of the report shows the tremendous growth in admission tax collections in recent years. The tax yield of general admissions went from $20,000,000 in 1940 to $393,000,000 in 1947. Number of taxpayers—including theatres, roof gardens, and clubs, but mostly film houses—went from 30,000 to 125,000 and the number of individual returns on admissions and dues from 244,000 to 1,010,000.

Two More for Academy

COLUMBUS, O., April 27.—Two new theatres in the Academy circuit, the Old Trail and the Lane, are scheduled to open before fall.

CORRECTION

Paramount Trade Screening

in ALBANY

The correct time of showings is:

April 30th

"THE EMPEROR WALTZ" . . . . . 8 P.M.

May 4th

"DREAM GIRL" . . . . . 8 P.M.

"WATERFRONT AT MIDNIGHT" . . . 2:30 P.M.

At Fox Projection Room, 1052 Broadway

Ask More Adult, Less Of Juvenile Appeal

Indianapolis, April 27.—Taking issue with exhibitor leaders who believe the industry should make more pictures with appeal to children, the Associated Theatre Owners of Indiana declares the No. 1 problem is how to convert the millions of adult non-moviegoers into ticket-buyers.

Attendance of a great many adults has been discouraged by product "designed for young minds" and by the number of children in theatre audiences, the ATOI observes.

Trumbo Trial

(*Continued from page* 1)

and intentional policy of discrimination with respect to occupation and place of birth" in the selection of jurors. Questioning by Jury Commissioner E. G. Bliss is due to continue tomorrow.

Cite Precedent on Venue

Defense counsel based its motion for a change of venue on a recent Supreme Court ruling to review a narcotics conviction by a jury which included one Treasury Department employee and the wife of another.

Earlier Justice Pine denied a defense motion for a continuance of several weeks until Rep. J. Parnell Thomas, chairman of the House Un-American Activities Committee, is well enough to testify or make a deposition from his hospital bed. The clerk was informed that Thomas will be unavailable for an indefinite period.

The court sustained the contentions of Assistant U. S. Attorney William Hitz that Thomas was not an indispensable witness, and that committee members John McDowell and Richard Vail and Chief investigator Robert Stripling could supply necessary evidence.

Thomas Sought by Defense

Defense counsel Charles Katz declared that Thomas would be "crucial" to the establishment of defense contentions that the probe on Communism in motion pictures was illegally conducted.

Date for arguments before Judge Curran on the motion for a new trial for Lawson was postponed to May 21.

Chief defense counsel Robert W. Kenny announced at the close of today's proceedings that M-G-M's L. B. Mayer, National Board of Review executive Richard Griffith, and Screen Writers' Guild official Philip Dunne had been subpoenaed.

'Secrecy of Guild Membership'

Kenny said that Dunne would testify that it is necessary to keep the Guild membership list secret. Griffith was the first defense witness called in the Lawson trial. Mayer was not permitted to testify at it.

Build New Drive-In

MICHIGAN CITY, Ind., April 27.—Construction of a 1,000-car drive-in, to cost $300,000, is underway here. Operators will be the Manta Rose Circuit and Dunelake Theatre Corp.

Tax-Free Plan

(*Continued from page* 1)

verse recommendation from the Treasury would not kill the proposal. Another committee member said that a majority of those present seemed to favor the proposed change, but that there was "some very sharp and decided dissenting voices."

Industry-Treasury Talks

Film company representatives have already approached the Treasury Department with the plan. Officials in the lower echelons were opposed, it was understood, but Under-Secretary Wiggins was reported as willing to consider it.

Colin Stam, chief of staff for the joint Congressional committee on internal revenue taxation, said he personally favored the proposal. Stam's recommendations are extremely weighty in the deliberations of the House Ways and Means Committee.

In presenting the proposal to the House group today without recommendations, the staff of the joint committee pointed out that if the District Court decree in the Paramount case is upheld, motion picture companies may either sell out properties where they have more than a five per cent interest and less than 95 per cent to the independent, joint owner, or to other parties, or may with the court's approval acquire the interest of the independent joint owners. It is said that if the companies sell out in one locality and buy out independents in another, under present laws they would have to pay a tax on any gain in the first transaction even though all of the proceeds are reinvested in the second transaction.

'Involuntary Conversion'

"The proposal," said the staff, "is to treat as an involuntary conversion under Subsection 112 (F) a sale or exchange of property and the investment of the proceeds in the same or similar assets which is necessary or appropriate in order to comply with a court decree in a civil proceeding under the Sherman Act. This means that there would be no gain or loss recognized on the reinvestment of the assets in question."

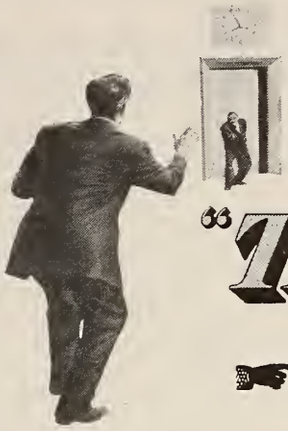
The staff said that proponents of the step argued that precedent for the action can be found in the break-up of the public utility holding companies and laws governing disposal of radio stations under Federal Communications Commission orders.

Object to 'Favored Treatment'

Opponents, the staff continued, "object to the provision of favored tax treatment for persons who are in violation of so basic a statute as the Sherman Act. Proponents reply that the penalties applied under the Sherman Act are adequate. They question the imposition of additional tax penalties, especially since the amount of the latter is not related to the actions which constituted a violation of the anti-trust legislation."

Record for 'Dreams'

New box-office and attendance records are claimed at the Fifth Avenue Playhouse for the first three days of the run of Hans Richter's "Dreams That Money Can Buy," according to the management. Hitting a gross of $4,000 with 6,231 patrons, the surrealist film exceeds by over 25 per cent the figure set by any previous film at the house, it was said.



OVERFLOW PRAISE for "THE BIG CLOCK"

Continued from Page 8&9

"One of the big treats of the season . . . a manhunt of tense excitement." —*World-Telegram*

• • •

"When you hear the musical chime at the end of this review...it will be the time for all devotees of detective films to make a mental memorandum to see it without possible fail." —*N. Y. Times*

• • •

"Tense melodrama, a tingling whodunit . . . One of the slickest suspense films seen hereabouts in some time . . ." —*Journal-American*

• • •

"A winner in the spine-tingling sweepstakes, a cold, tense, brilliant job that works up a hot fever of excitement . . . As far as cold-blooded thrillers are concerned, they just don't come any better than 'The Big Clock'." —*Brooklyn Eagle*

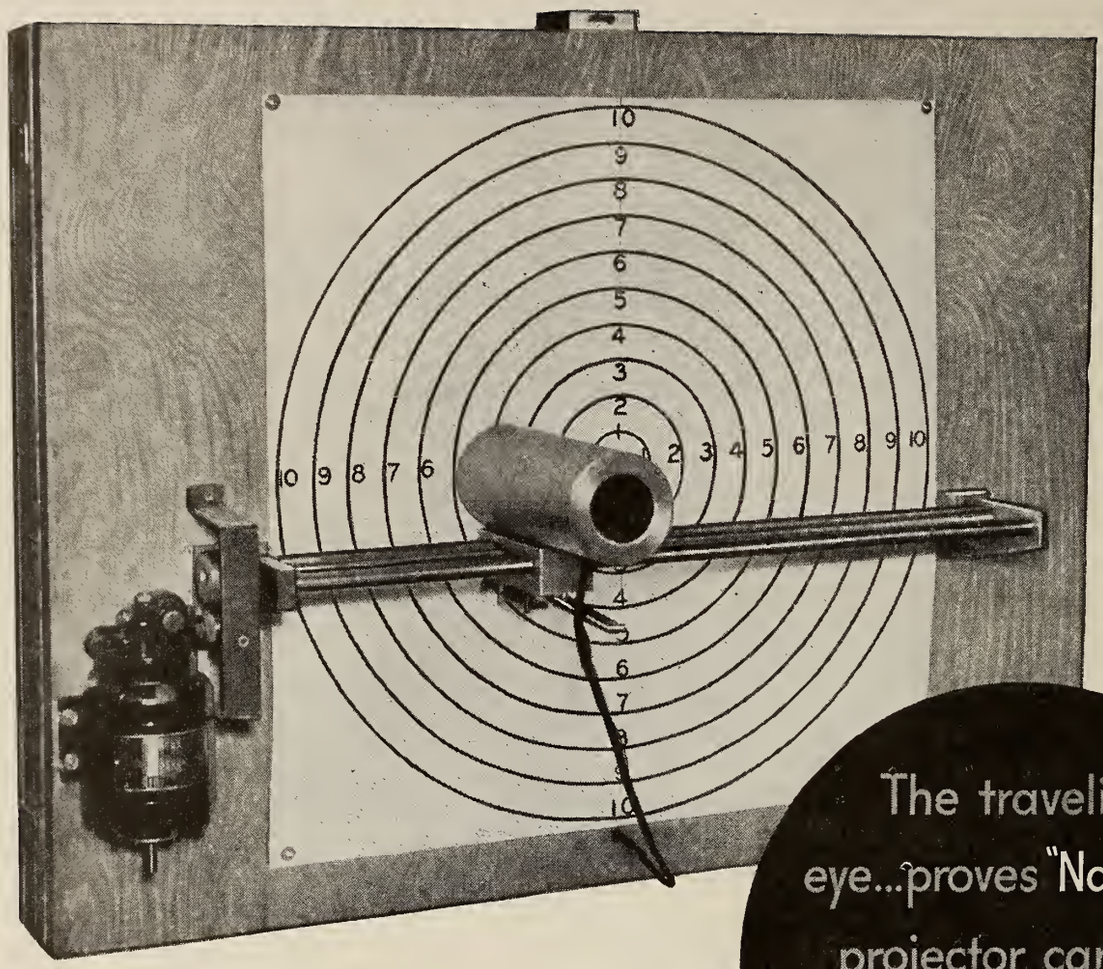
• • •

"High-styled, lively entertainment . . . The characters are magnificent." —*PM*

• • •

"Smooth, slick, entertaining stuff . . . goes like clockwork, steady, unrelenting, and with constantly mounting suspense." —*Post*

WATCH THAT "CLOCK"



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NEW YORK, N. Y.

VOL. 63. NO. 83 NEW YORK, U.S.A., THURSDAY, APRIL 29, 1948 TEN CENTS

Loop Theatres Face Product Shortage Soon

2-Week Run Limit of Decree Speeds Playoff

CHICAGO, April 28.—A number of Chicago's first-run Loop theatres are sure to feel a product shortage in consequence of the two-week limitation of Loop runs imposed upon them by the Jackson Park Theatre court decree, observers here believe.

The situation promises to become acute for the Balaban and Katz Apollo when "Gentleman's Agreement" completes a 25-week run there on May 6. The picture received a new lease on life after winning the Academy Award and thereby helped forestall the inevitable problem of finding new product for the house every two weeks after "Agreement" leaves.

The product pinch already has been felt at the Garrick, Roosevelt and United Artists, the latter two having been forced to play a number of reissues in weeks when new top grade product was not available. The Garrick tried out a third-run policy, which was unsuccessful. It now alternates its policy, playing an occasional first-run when product is available.

RKO, with only two theatres to worry about, is not as seriously pressed for films, being supplied with its own and Universal product.

It is estimated that the eight Loop

(*Continued on page 3*)

US vs. Ascap Trust Suit Off to May 18

Hearing on Ascap's request that Broadcast Music be included as a defendant in the Government's anti-trust action against the society has been set back in U. S. District Court here from tomorrow to May 18.

The Government is seeking to have references to BMI stricken from Ascap's answer to the anti-trust charges. The society is accused of illegal participation in a worldwide cartel and conspiracy to monopolize music-performing rights.

'Bob Mochrie Weeks' In Depinet Drive

Last three weeks of the "Ned Depinet 1948 Drive" are being observed as "Bob Mochrie Weeks," for RKO Radio's domestic distribution vice-president.

Gael Sullivan to TOA in Coyne's Post

WASHINGTON, April 28.—Gael Sullivan, executive director of the Democratic national committee, announced today he is resigning to become "executive vice-president" of Theatre Owners of America.

Sullivan said he would assume his new duties on June 1. While he gave no salary, most popular rumor here is that he will draw $50,000 a year. Sullivan merely said the TOA offer was "so attractive" it would be unfair to his family not to take it.

The announcement came as a complete surprise to most industry officials here, including TOA officials. When it was first rumored that Sullivan would take a job with the motion picture industry, it was assumed he would take over Donald Nelson's former post as president of the Society of Independent Motion Picture Producers. The post is still vacant.

One TOA official questioned the legality of the situation, claiming that

(*Continued on page 3*)

Nebraska Exhibitors Join TOA Ranks

OMAHA, April 28.—Nebraska Theatre Owners of America bandwagon at a meeting held here yesterday.

The decision was made after TOA president Ted Gamble called for united exhibitor action and urged theatre owners to "step in and fight" criticism of the industry.

Gamble urged exhibitors to tell the

(*Continued on page 3*)

Thomas Group Wants To Watch Hollywood

Washington, April 28.—The House Un-American Activities Committee is considering setting up a Los Angeles office, an important function of which would be to "keep an eye on" the film industry, a committee member disclosed today.

The committee today voted out a bill which would, in effect, outlaw the Communist Party in its present form. The bill may pass the House but is likely to die in the Senate.

Permit Trumbo to Question Thomas

WASHINGTON, April 28.—Federal Judge David A. Pine today ruled that counsel for screen writer Dalton Trumbo could obtain a bedside deposition from J. Parnell Thomas, chairman of the House Un-American Activities Committee.

Pine recessed the trial until tomorrow morning so that defense and Government attorneys could question the ailing Congressman at Walter Reed Hospital. Thomas is suffering from a liver ailment resulting from plasma and blood transfusions given him in February, when he suffered an attack of gastro-intestinal hemorrhages.

Pine's ruling reversed a decision yesterday, when he held that Thomas was not necessary as a witness, and was made over vigorous protests by Assistant U. S. Attorney William B. Hitz.

Television Newsreel For N. Y. Daily News

Development of a television newsreel will be included in the New York *Daily News'* video plans when the newspaper's television station, WPIX, starts operations in June. This was disclosed here yesterday by F. M. Flynn, president and general manager of the *News*, at a luncheon-meeting of the American Television Society at the Hotel Astor.

Flynn said that the *News* will offer the video reel "with other programs which are developed for syndication." He explained that "we are greatly interested in film syndication and believe this type of program handling will play a most important role in television for several years."

Flynn said, "The importance of film for all types of television programming makes highly desirable the development of a basis for working in cooperation with the motion picture industry." He asserted that WPIX's acquisition of U. S. television rights to 24 films produced by Sir Alexander Korda "may be a step in the right direction."

"Recent reports and discussions indicate that some of the motion picture people are looking upon television more receptively," Flynn said. "Motion pictures and television can help each other. I have no criticism of those in the motion picture industry whose position regarding television is influenced by what they believe to be best for their business. Yet, I again urge them to review the matter" so that a plan to benefit all can be devised.

Admission Tax Income Higher Than Year Ago

$1,664,747 Increase in March Over March 1947

WASHINGTON, April 28. — General Treasury admission tax collections in March, reflecting February box-office business, totaled $30,461,572, compared to $28,796,825 in March, 1947, according to figures released here today by the Bureau of Internal Revenue.

This was the first time in three months that tax collections exceeded collections of a year earlier.

General admission tax figures include admissions to legitimate theatres, sports events, and other entertainment in addition to motion picture theatres, but do not include cabaret taxes and taxes on leases of boxes or seats and various overcharges. Collections of the general admission tax and all of these other taxes in March totaled $34,426,156, compared to $33,223,139 a year ago.

Remittances Tied to Recovery Program

Motion Picture Association of America has placed its hopes for liquidating its members' frozen earnings in Europe squarely on a successful European Recovery Program, it was indicated here yesterday by an MPAA spokesman. He pointed out that although MPAA companies have succeeded limitedly in getting funds out of Italy and one or two other European countries through international trading channels, it will be impossible to get remittances in substantial form if the ERP does not succeed.

"Once ERP begins to succeed," the

(*Continued on page 2*)

Expect No Changes In Pact on UK Tax

Although British Board of Trade president Harold Wilson told House of Commons members recently under pressure of oppositional questioning that several changes may be made in the Anglo-American tax settlement agreement, it was indicated by a top Motion Picture Association of America spokesman here yesterday that no

(*Continued on page 2*)

Personal Mention

E. J. MANNIX, M-G-M studio executive, will leave New York today for the Coast.

•

DELIGHT EVANS, editor of *Screenland*, will leave here today for Hollywood.

•

ARTHUR SACHSON, Samuel Goldwyn Prod. general sales manager, left here yesterday for the Midwest.

•

JACK ELLIS, United Artists New York district manager, will return here today from Oneida, N. Y.

•

DAVID HOPKINS, assistant to Enterprise president CHARLES EINFELD, is due here tomorrow from the Coast.

•

BEN GOETZ, M-G-M British production head, will leave here today by plane for London.

•

MAX WEINBERG, M-G-M Eastern shorts representative, is due in Indianapolis today from New York.

•

IRVING ASHER is in town from the Coast.

•

SIR ALEXANDER KORDA will leave New York today for Hollywood.

•

N. PETER RATHVON, president of RKO, is in New York from the Coast.

•

ARDEN G. DAVIDSON has taken over the Nancy Theatre, Bridgewater, S. D.

200 at MPAA Fete For Thomas McCabe

WASHINGTON, April 28.—Top Washington officials, including Attorney General Tom Clark, former Secretary of State James Byrnes, Secretary of the Treasury Snyder, Secretary of the Interior Krug and Speaker of the House Joe Martin were among 200 officials and press representatives who attended the reception tendered by Eric A. Johnston, Motion Picture Association of America president, for Thomas B. McCabe, new chairman of the Federal Reserve Board.

Daylight Saving For the Capital

WASHINGTON, April 28.—Congress today sent to the White House a bill authorizing District of Columbia commissioners to put daylight saving time into effect this year. The commissioners announced that if President Truman signs the bill—as expected—they will make the change effective at two A.M. this Sunday.

Tom Breneman Dies

ENCINO, Cal., April 28.—Tom Breneman of the radio program, "Breakfast in Hollywood," died of a heart attack at his home here today. Meanwhile United Artists announced that his only picture, "Breakfast in Hollywood," will be reissued. The film was an Edward S. Golden production, released in March, 1946.

Sees No Danger of Freezing by Belgium

Any danger of freezing of American film earnings by Belgium was discounted here yesterday by Joe van Cottom, publisher and editor of that country's *Cine Revue*.

Describing the situation for U. S. film interests there as "very good," the visitor pointed out that Belgium is one of the two countries of Europe where American firms can receive dollars without restrictions of any kind.

According to Van Cottom, the total Belgium film gross in 1947 was 1,200,000,000 francs (approximately $27,275,000), which he said was about the same as for 1946.

Van Cottom asserted that 70 per cent of Belgian screen entertainment consisted of U. S. films, British, French and a few Italian pictures making up the remainder. He disclosed that the Flemish people preferred American product, while the French portion of the population favored French productions.

The Belgian will leave Saturday on a two-month visit to the Coast. He will take along with him a statuette for presentation to Samuel Goldwyn for "The Best Years of Our Lives," selected by the readers of his publication as the best picture of 1947.

Finances Needed for Coast Fund Deficit

HOLLYWOOD, April 28.—"Lowered income, accompanied by much heavier relief demands upon resources," account for a $120,020 deficit experienced by the Motion Picture Relief Fund in 1947, according to George Bagnall, chairman of the organization's "Silver Jubilee" campaign to enroll new donors and stimulate contributions.

Bagnall's report reveals that "unsettled conditions in the industry" have reduced the contributor level to "little more than 20 per cent of the employee total."

Unions Waive Rules For Academy Films

HOLLYWOOD, April 28.—With James C. Petrillo, president, acting on behalf of the American Federation of Musicians, and Roy Brewer, IATSE West Coast representative, speaking for the "IA", directorates of all talent and production guilds have formally waived union restrictions on the use of music and personnel in the industry's documentary shorts being produced by Grant Leenhouts under sponsorship of the Academy of Motion Picture Arts and Sciences.

Kalmenson Promotes Adams, Livingston

Vernon Adams has been named branch manager of Warner's exchange in Dallas, moving up from the managership in Oklahoma City, and Grover Livingston, Oklahoma City salesman, has been promoted to manager in that city, by Ben Kalmenson, distribution vice-president. Both changes become effective on Monday.

UK Tax Pact

(*Continued from page* 1)

basic changes are expected to be made in the agreement which was signed by Wilson and MPAA president Eric A. Johnston in London.

Allen Dulles, MPAA adviser on foreign affairs, "wants no changes *per se*," it was said.

The MPAA spokesman said, however, that the agreement may contain in its final official form certain minor modifications. The basic structure of the Wilson-Johnston agreement will remain intact, however, he said.

It is understood, meanwhile, that the British government will make the official agreement public in the very near future.

Foreign Executives Meet

The so-called "working committee" of the U. S. companies' foreign department executives met here again yesterday to seek a basis of agreement on those features of the settlement which the American companies will administer themselves. Only about two more such meetings will be required to complete plans for a *modus operandi*, it was said.

British Treasury Restores Penny-a-Foot Import Tax

LONDON, April 28.—The British Treasury today made the order revoking the *ad valorem* tax effective May 3, and restored the import duties previously in effect, namely, one penny per foot of film, it was announced by the British Board of Trade.

Blanket Licenses to Importers

Confirming earlier reports in MOTION PICTURE DAILY, the BOT announced also that blanket licenses will be issued to importers in the United Kingdom and separate licenses will be issued to each American exporter from whom UK importers obtain their films. Licenses, however, will not be granted to American exporters until each individual exporter signs an agreement with the BOT binding him to adhere to the present tax agreement and any subsequent modification thereof.

It is understood that BOT president Harold Wilson will outline on Friday in the House of Commons his proposals to assist independent producers with their financing problems.

UA To Begin Its U.K. Production July 9

LONDON, April 28.—United Artists' British production program will get under way here July 9 under terms of an agreement closed here for use of Riverside Studios. A Mary Pickford-Lester Cowan drama, a Marx Brothers comedy and Edward Small's "Lorna Doone" will be produced here, but it is uncertain as yet which will go before the cameras first. Arthur W. Kelly, UA executive vice-president, arrived here several days ago from New York.

When he came here in January, Kelly reportedly carried with him plans under which UA would launch a $6,000,000 production program here. Previous negotiations whereby the same sum would be provided by substantial British interests for UA production in Britain were stymied by objections from the British Treasury.

Chile Set to Remit Some US Earnings

Motion Picture Association of America has persuaded the Chilean government to arrange for remittances of at least a portion of the earnings of U. S. films in that country, the MPAA reported here yesterday. Under the arrangements U. S. distributors in Chile will be permitted to tap the huge backlog of American pictures which has piled up in Chilean [illegible] over the past several months.

The Chilean government, it is reported, is prepared to give the MPAA companies several hundred thousand dollars worth of "previas," or import licenses, which may be used to remit part of the U. S. companies' earnings. At the same time the licenses give U. S. companies the right to release vaulted pictures.

Drop Plans to Switch Allport, McCarthy

WASHINGTON, April 28.—Plans to shift Motion Picture Association of America London representative Fay Allport to Paris and move Frank McCarthy to London from Paris have been abandoned for the time being, it is understood here.

MPAA president Eric Johnston has reportedly decided that both Allport and McCarthy have been doing good jobs in their present posts, have built up contacts and experience over the years, and that there is no real reason for the shift at this time.

Because of the many added duties which have fallen to Motion Picture Association of America European representative F. W. Allport as a result of the British tax settlement, an executive assistant will be appointed in the near future, the MPAA announced here yesterday.

DeToth Has Plans for Australian Filming

Andre De Toth, Hollywood writer-director, has arrived in Australia with plans for "a $1,000,000 film producing company," it was disclosed yesterday by the official Australian Information Service's local office.

De Toth, it was said, will talk with Australian government officials this week, and if the discussion is satisfactory, he will form a producing company in Sydney with both American and Australian capital, to make five or six films simultaneously.

Remittances, ERP

(*Continued from page* 1)

MPAA spokesman said, "U. S. pictures will begin to benefit."

U. S. film earnings are blocked in all countries of the world with the exception of a few so-called "hard currency" nations such as Switzerland, Belgium and a few South and Central American republics, he noted. "Hard" currencies are those which are closely allied to the dollar, while "soft" currencies are tied to the British pound.

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Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

"The Big Clock" ticked off tip-top business at the two Paramounts, dominating an otherwise uneventful week. Ideal weather prevailed. Estimated receipts for the week ended April 28:

THE BIG CLOCK (Para.) and SPEED TO SPARE (Para.) — PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00). Gross: $26,500. (Average: $21,000)

THE BIG CLOCK (Para.)—PARAMOUNT (Hollywood) (1,407) (50c - 60c - 80c - $1.00). Gross: $19,500. (Average: $15,000)

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—GUILD (965) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $7,100)

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.) — IRIS (708) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $7,100)

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—RITZ (1,376) (50c-60c-85c-$1.00) 2nd week. Gross: $7,000. (Average: $10,300)

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.)—STUDIO (880) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $6,900)

CASBAH (U-I) and MADONNA OF THE DESERT (Rep.) — UNITED ARTISTS (2,100) (50c-60c-85c-$1.00) 2nd week. Gross: $7,500. (Average: $15,400)

IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists) — EGYPTIAN (1,000) (50c-60c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $13,900)

IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists) — FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $13,800)

IF WINTER COMES (M-G-M) and THE HUNTED (Allied Artists)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 2nd week. Gross: $10,000. (Average: $21,200).

THE LADY FROM SHANGHAI (Col.) and ADVENTURES IN SILVERADO (Col.)—HILLSTREET (2,700) (50c-60c-80c-$1.00). Gross: $17,500. (Average: $18,300)

THE LADY FROM SHANGHAI (Col.)—PANTAGES (2,000) (50c - 60c - 80c - $1.00). Gross: $19,500. (Average: $17,300)

THE MAN FROM TEXAS (E-L) and TAKE MY LIFE (E-L-Rank)—BELMONT (1,600) (50c-60c-85c-$1.00). Gross: $5,500. (Average: $6,600)

THE MAN FROM TEXAS (E-L and TAKE MY LIFE (E-L-Rank)—EL REY (861) (50c - 60c - 85c - $1.00). Gross: $5,000. (Average: $7,000)

THE MAN FROM TEXAS (E-L) and TAKE MY LIFE (E-L-Rank)—VOGUE (800) (50c - 60c - 85c - $1.00). Gross: $6,000. (Average: $7,500)

THE MAN FROM TEXAS (E-L) and TAKE MY LIFE (E-L-Rank)—ORPHEUM (2,210) (50c-60c-85c-$1.00). Gross: $15,000. (Average: $14,300)

PICADILLY INCIDENT (M-G-M)—FOUR STAR (900) (50c-60c-85c-$1.00). Gross: $5,000. (Average: $11,400)

SCUDDA - HOO! SCUDDA - HAY! (20th-Fox) and MEET ME AT DAWN (20th-Fox)—CHINESE (2,300) (50c-60c-85c-$1.00) 6 days. Gross: $15,000. (Average: $15,700)

SCUDDA - HOO! SCUDDA - HAY! (20th-Fox) and MEET ME AT DAWN (20th-Fox)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 6 days. Gross: $23,500. (Average: $21,700)

SCUDDA - HOO! SCUDDA - HAY! (20th-Fox) and MEET ME AT DAWN (20th-Fox)—LOYOLA (1,265) (50c-60c-85c-$1.00) 6 days. Gross: $10,500. (Average: $10,000)

SCUDDA - HOO! SCUDDA - HAY! (20th-Fox) and MEET ME AT DAWN (20th-Fox)—UPTOWN (1,716) (50c-60c-85c-$1.00) 6 days. Gross: $13,600. (Average: $10,800)

SMART WOMAN (Allied Artists) and ROCKY (Mono.)—MUSIC HALL (Beverly Hills (900) (65c-85c-$1.00) 6 days. Gross: $2,000. (Average: $4,300)

SMART WOMAN (Allied Artists) and ROCKY (Mono.) — MUSIC HALL (Downtown (900) (65c-85c-$1.00) 6 days. Gross: $5,000. (Average: $9,600)

SMART WOMAN (Allied Artists) and ROCKY (Mono.)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00) 6 days. Gross: $2,400. (Average: $5,200)

SMART WOMAN (Allied Artists) and ROCKY (Mono.) — MUSIC HALL (Hollywood) (490) (50c - 60c - 85c - $1.00) 6 days. Gross: $2,000. (Average: $4,300)

WINTER MEETING (WB) — WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 6 days. Gross: $13,000. (Average: $16,300)

WINTER MEETING (WB) — WARNERS (Hollywood) (3,000) (50c - 60c - 80c - $1.00) 6 days. Gross: $12,000. (Average: $12,400)

WINTER MEETING (WB) — WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 6 days. Gross: $13,000. (Average: $12,600)

PITTSBURGH

"Sitting Pretty" opened to what appears to be a $15,000 gross at the J. P. Harris Theatre. All other films fared poorly. Estimated receipts for the week ending April 29:

FOREIGN CORRESPONDENT (Screen Guild reissue) and TRADE WINDS (Screen Guild reissue)—SENATOR (1,700) (44c-60c-76c). Gross: $3,200. (Average: $3,500)

OLD LOS ANGELES (Rep.)—FULTON (1,700) (54c-60c-76c) 6 days. Gross: $6,500. (Average for 7 days: $9,700)

SITTING PRETTY (20th-Fox)—J. P. HARRIS (2,000) (44c-60c-76c). Gross: $15,000. (Average: $11,000)

TARZAN AND THE MERMAIDS (RKO Radio)—WARNER (2,000) (44c-60c-76c). Gross: $10,500. (Average: $8,000)

THE BRIDE GOES WILD (M-G-M)—RITZ (1,100) (44c-60c-76c) 3rd week, on a moveover from the Penn. Gross: $2,500. (Average: $3,200)

THE SAINTED SISTERS (Para.)—PENN (3,400) (44c-60c-76c). Gross: $12,500. (Average: $15,000)

TO THE VICTOR (WB)—STANLEY (3,800) (44c-60c-76c). Gross: $12,500. (Average: $15,000)

OMAHA

Omaha Theatres enjoyed good business generally. An early spring drouth was broken by a series of rains. Estimated receipts for week ending April 28-29:

DUEL IN THE SUN (SRO) — PARAMOUNT (2,900) (50c-65c). Gross: $12,700. (Average: $10,600)

INTRIGUE (UA) and THE INSIDE STORY (Rep.) — ORPHEUM (3,000) (50c-65c). Gross: $11,100. (Average: $9,500)

THE MATING OF MILLIE (Col.) and THE WOMAN FROM TANGIER (Col.)—RKO-BRANDEIS (1,100). Gross: $7,300. (Average: $6,800)

RELENTLESS (Col.)—STATE (750) (50c-65c) 2nd week. Gross: $5,200. (Average: $5,000)

SITTING PRETTY (20th-Fox) and BLIND SPOT (Col.)—OMAHA (2,000) (50c-65c) 2nd week for "Sitting Pretty," on a moveover from the Paramount. Gross: $8,900. (Average: $8,600)

"'Not Guilty' is a remarkably good film."—N. Y. POST

"An absorbing steady suspense . . . certain to gratify even the most exacting audience."—N. Y. TIMES

"A superior thriller."—N. Y. TRIBUNE

"Brilliant, superb, highly engrossing . . . 'Not Guilty' sets a high mark."—N. Y. MIRROR

NOT GUILTY

WITH

MICHEL SIMON

JANY HOLT

Andre LeLarge-E. C. D. Release

151 EAST 51st STREET

NEW YORK, N. Y.

"Lower Taxes Might Sell More Seats"

Omaha, April 28. — Senator Kenneth Wherry (Rep., Neb.), majority leader of the Senate, told a Nebraska Theatremen's Association meeting here that he is not "so sure but that if we had lower taxes, exhibitors might sell more seats."

Lower taxes, he said, do not always mean lower revenue to Uncle Sam. But, he pointed out, if the proposed new national high budget is passed, theatre owners might be fortunate to hold their own on taxes because the nation may return to war-time economy. (The present 20 per cent ticket levy is a war-time tax.)

Join the TOA

(*Continued from page* 1)

public that better pictures are being produced, that they back juvenile delinquency programs and what they think about a "whole set of new rules" to govern the industry.

Senator Kenneth Wherry (Rep., Neb.) praised theatre owners for their war bond work and told them that they should go out into Nebraska and do the greatest job of selling ever done. "Sell the American way of life," he advised. "It is your job," he added, "to help stop Communism within the confines of the United States."

More than 150 attended the meeting, held at the Hotel Fontenelle, and at which the Nebraska organization's president, Robert Livingston, Lt. Gov. Robert Crosby, and Bob Coyne, TOA executive director, also spoke.

Loop Theatres

(*Continued from page* 1)

houses affected by the decree, changing pictures every two weeks, will need approximately 144 features. The three houses not affected by the decree, the Woods, Oriental and Monroe, will absorb approximately 28 other pictures the rest of the year a total of 172.

On the other hand, the situation may create a first-run outlet for smaller producers, who prior to the decree, were seldom able to book pictures into Loop houses.

For the time being, at least, and for the next six to eight weeks, the Loop is well set in most houses with top product.

Para. Sales Meetings Start Here May 13

Paramount divisional sales meetings will get under way here on May 13-15 at the Hotel Astor, to be followed by meetings at Philadelphia, May 17-19; Chicago, May 24-26; Kansas City, June 3-5, and San Francisco, June 7-9. Charles M. Reagan, distribution vice-president, will preside at all of the meetings.

Flexer Sells Two

MEMPHIS, April 28.—Sale of Flexer Theatres' new drive-in at St. Louis to Fred Wehrenberg and another in Minneapolis to Minnesota Entertainment Enterprises was announced here today by David Flexer, head of Flexer Theatres.

Sullivan to TOA

(*Continued from page* 1)

the TOA board of directors had never passed on Sullivan's appointment or his salary.

Held Chicago Fair Post

The 44-year-old Sullivan was Second Assistant Postmaster General under Robert Hannegan from 1945 to 1947, before becoming associated with the Democratic committee. Prior to that he was in the Army, an official of the Federal Housing Administration, administrative assistant to the mayor of Chicago, liaison officer for the Chicago World's Fair, in advertising and assistant professor at Depauw University. He was born in Providence but considers himself a Chicagoan by adoption. He is married and has four children.

TOA headquarters here issued a belated confirmation late yesterday of Sullivan's disclosure that he would join the organization on June 1 in an executive capacity. The delay in confirming the Washington announcement was said to have been due to the absence from the city of Ted R. Gamble, president, who is in Indianapolis inspecting his theatre interests there.

TOA said that Sullivan will be executive director, an appointive post, and not executive vice-president, an elective post, as stated by Sullivan. The difference is important since the appointment can be made legally by the TOA executive committee, of which Si Fabian is chairman, without the approval of the TOA board of directors, which apparently was not consulted on the appointment, but whose approval would have been required had Sullivan been given an elective post.

Coyne to Operate Theatres

Sullivan will succeed Robert W. Coyne, who has been executive director of TOA since its formation last September and who, prior to that, held the corresponding post with American Theatres Association. Coyne has indicated his intention of leaving the post for the past six months or more. He plans to go into theatre operation but whether with Gamble or not could not be learned yesterday. Coyne was enroute back to New York from Omaha where he attended a meeting of Nebraska Theatre Owners with Gamble.

Sullivan's salary was not disclosed officially but it was stated that the Washington reports of $50,000 annually were too high. New York reports reduce the figure by about one-half.

Video Relay Rates Effective May 1

WASHINGTON, April 28.—The Federal Communications Commission today allowed proposed rates for television relay service to become effective May 1.

However, the commission set for June 15 hearings on a protest by the Television Broadcasters Association that the proposed rates are excessive, opening the way for a later reduction in the rates if the FCC backs TBA.

CBS, L. A. Times in Video Partnership

The Los Angeles Times and Columbia Broadcasting plan to join forces in the operation of a television station at Los Angeles. The companies will form a new corporation to own and operate KTTV, the station for which *The Times* holds a construction permit.

Paramount *invites you to join* THE

THE BIG CLOCK
by KENNETH FEARING
starring RAY MILLAND CHARLES LAUGHTON

Dream Girl
From the Stage Hit by Elmer Rice
starring Betty Hutton Macdonald Carey

so evil my love
by Joseph Shearing
starring Ray Milland Ann Todd Geraldine Fitzgerald
A HAL WALLIS Production

Hazard
By Roy Chanslor
starring Paulette Goddard Macdonald Carey

HATTER'S CASTLE
By A. J. CRONIN
starring Robert Newton James Mason Deborah Kerr Emlyn Williams

My Own True Love
Based on the novel Make You a Fine Wife
By Yolanda Foldes
starring Phyllis Calvert Melvyn Douglas

THE TATLOCK MILLIONS
From the play "Dear Brother"
by Jacque Duval
starring John Lund Wanda Hendrix Barry Fitzgerald Monty Woolley

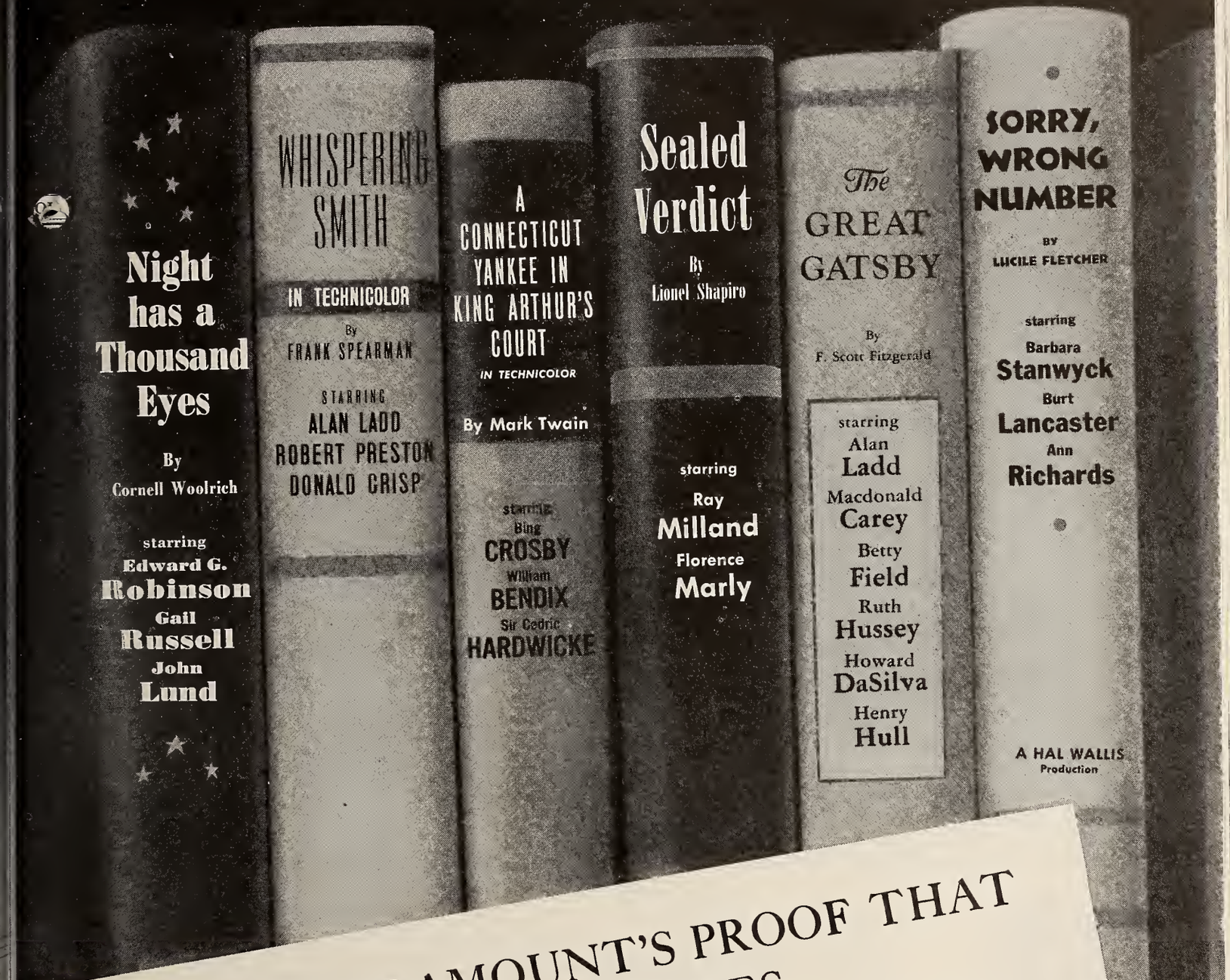
SORROWFUL JONES
by DAMON RUNYON
starring Bob Hope · Lucille Ball William Demarest Bruce Cabot

The Accused
Based on the Novel "Strange Deception"
by JUNE TRUESDALE
starring Loretta Young Robert Cummings Wendell Corey Douglas Dick
A HAL WALLIS

LOOK HOMEWARD, ANGEL
By THOMAS WOLFE

The WEB *of* DAYS
by Edna Lee

OOKS-OF-THE-YEAR CLUB



PART OF PARAMOUNT'S PROOF THAT "GREAT PICTURES ARE COMING FROM HOLLYWOOD"

are these Best Sellers of Tickets—all from famous story properties—most of them coming during 1948—plus four of the greatest of all for this summer and fall, based on original stories—

"THE EMPEROR WALTZ," *In Technicolor starring Bing Crosby, Joan Fontaine*

"BEYOND GLORY" *starring Alan Ladd, Donna Reed*

"THE PALEFACE," *In Technicolor starring Bob Hope, Jane Russell*

"A FOREIGN AFFAIR" *starring Jean Arthur, John Lund, Marlene Dietrich*

He gives the scene its French accent...

PLAINLY, everything about this scene says Paris—though filmed in a studio far from France.

For the property man has provided the French accent in every eloquent detail, fixing unmistakably the picture's time and place.

And with equal ingenuity this latter-day Aladdin can bring forth the properties that effectively point up any city, any century . . . can put pioneer or princeling "in his place."

Thus, through him, motion pictures take on atmosphere and color; the realm of make-believe becomes believable. Yet the full effect of his achievement might well be lost except for faithful photographic reproduction. This is provided—in full measure—by the famous family of Eastman motion picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 84 | NEW YORK, U.S.A., FRIDAY, APRIL 30, 1948 | TEN CENTS

Americans to Film 12 Yearly In U. K.: Rank

'Can Use Unremittable Funds 27 Other Ways'

LONDON, April 29.—American producers can be expected to produce in England a maximum of 12 pictures a year under the terms of the British *ad valorem* tax settlement agreement, J. Arthur Rank said today following his return from a five-week visit in the U. S. He said there is no fear that American production will swamp U. K. studios to the detriment of British production.

Under the tax agreement, said Rank, American companies have 28 methods for utilizing their unremittable earnings, and the method least likely to be used to any great extent is film production, because U. S. companies are required to wait two years before they recover production costs.

By the 27 other methods, the British industry leader said, Americans can secure proceeds almost immediately. Among the 27 are the opening to Americans to buy South American

(*Continued on page* 3)

Quiz Wilson on US Studios in England

LONDON, April 29.—Only three American companies—20th Century-Fox, Warners, and M-G-M—own studios in Britain, Harold Wilson, president of the British Board of Trade, today told the House of Commons in reply to questions on U. S.-owned film studio facilities here. He added, however, that 20th-Fox's studio cannot be used for feature production without extensive repairs due to war damages.

Under further questioning in Com-

(*Continued on page* 3)

Yeah, More Stable Than Politics, Too

Washington, April 29.—Remark by Attorney General Tom Clark overheard at Eric Johnston's reception for Federal Reserve Board Chairman McCabe: "That (Gael) Sullivan selection is a wonderful choice. TOA will go far with people like Gael and (Ted) Gamble at the helm."

Quarterly Income Of Four Companies Rose $4,400,000

WASHINGTON, April 29.—Sales of four film companies totaled $63,942,000 in the last quarter of 1947, $4,400,000 above the $59,540,000 reported in the third quarter, and $5,000,000 over the $58,994,000 reported for the 1946 fourth quarter, the Securities and Exchange Commission disclosed here today.

Usually the SEC's quarterly figures cover seven or eight film companies. Today, only Columbia, RKO, Republic and Universal were listed. All but Republic gained over the third quarter.

Following is a company-by-company breakdown: Columbia: 1947, fourth quarter, $7,172,000; third quarter, $6,475,000; (fourth, 1946, $5,670,000). RKO: 1947, fourth quarter, $31,552,-

(*Continued on page* 6)

Trumbo Trial Jury Picked; Case Opens

WASHINGTON, April 29.—A jury of seven men and five women was chosen today to try screen writer Dalton Trumbo on two charges of contempt of Congress.

The author of the film versions of "Kitty Foyle" and "30 Seconds Over Tokyo" is accused of refusing to tell a House Un-American Activities subcommittee whether he is a member of the Screen Writers Guild and whether he ever has been a member of the Communist Party.

Assistant U. S. Attorney William B. Hitz limited his opening address to the jury, which includes seven

(*Continued on page* 3)

Holland Admission Tax Raised to 35%

By PHILIP DE SCHAAP

AMSTERDAM, April 26 (By Airmail).—Holland's 20 per cent theatre admission tax has been increased to an average of 35 per cent. Further, at least 500 meters of cultural films—such as newsreels and educational shorts—must be included in each program or the tax is increased to 45 per cent. Admissions here range from 30 to 95 cents.

The increased taxes have been put into effect by laws of the various municipalities, but the cities were under pressure from the central government to enact laws. The only concession offered the exhibitor is permission to increase evening prices if, at the same time, afternoon prices are reduced.

Fred Ahlert Named President of Ascap

Fred Ahlert, writer long active in its affairs, was elected president of Ascap at the society's annual board meeting here yesterday. He succeeds Deems Taylor.

Only other new officer named was Frank Connor, who replaces Ray Henderson as assistant treasurer.

Retained in office were Gustave Schirmer and Oscar Hammerstein II, vice-presidents; George W. Meyer, secretary; Louis Bernstein, treasurer; Donald Gray, assistant secretary.

Mayer Sells Rialto, Heads for Video

Closing of the deal by which James Mage, Laffmovie Circuit owner and foreign film distributor, takes over the Rialto Theatre from Arthur Mayer and associates, which has been in work for months, was finally announced by Mayer yesterday.

Mayer said he sold out, reportedly for $320,000 for the remaining seven and one-half years of his lease, because the Rialto was "too successful." He operated the house for the past 15 years. In the old days, he explained, risks and uncertainties were enjoyable. Success has taken the fun out of the

(*Continued on page* 3)

5 Industry Shorts Near Completion

WASHINGTON, April 29.—Five of the Motion Picture Asociation-Academy's industry film series are well along towards completion, it was learned here today.

A rough cut of the first of the series, RKO Radio's "Let's Go to the Movies," will be ready in about two weeks. Cary Grant and Rosalind Russell will do the commentary.

Warner Brothers is slated to have a rough cut of "This Theatre and You" ready in 10 days. "Movies Are Ad-

(*Continued on page* 6)

Screen Guild Plans Expansion Program

HOLLYWOOD, April 29.—Screen Guild Productions is embarking on an expansion policy calling for improvement of product, it was disclosed here today by John J. Jones, president, and Robert L. Lippert, vice-president of the company. They reported the company serviced 11,000 theatres last year and is completely debt-free.

Reports that Jones is to resign and a new executive setup established were denied.

Jury Acquits 12 Defendents In Rivoli Suit

Find No Cause of Action; Setback for McConnell

BUFFALO, April 29.—A Federal court jury here today returned a directed verdict of acquittal for all 12 distributor and theatre defendants in the Rivoli Theatre's $3,000,000 damage action, after deliberating 55 minutes.

Thomas C. McConnell, who leaped into legal prominence in exhibition circles following his victory in the Chicago Jackson Park Theatre case, was attorney for the plaintiff.

Today's verdict, acquitting major distributors and the Shea Circuit here of charges of damaging Stanley Kozanowski's Rivoli Theatre by conspiracy to prevent it from getting first-

(*Continued on page* 3)

$3½-Million Building Program for FP-C

TORONTO, April 29.—Famous Players-Canadian Corp. has earmarked $3,500,000 for new theatre construction and remodeling in a program calling for 18 new theatres, J. J. Fitzgibbons, FP-C president, told the annual stockholders meeting.

Operating income had been maintained during the first quarter of 1948, Fitzgibbons reported, and the current year is expected to compare favorably with income in 1947. All officers and

(*Continued on page* 3)

Theatre Television For Para. Affiliate

Springfield, Mass., April 29.—Theatre television is to be installed in the Paramount here, Samuel Goldstein, president of Western Massachusetts Theatres announces. The Paramount will become the second New England house to have theatre television. Goldstein, who made the arrangements with Paramount executives in New York, said that installation of the equipment depends only on how soon equipment is made available.

The circuit is a Paramount affiliate.

Personal Mention

WILLIAM CAGNEY is scheduled to leave the Coast by plane for New York on Sunday.

•

WALTER L. TITUS, JR., Republic division manager, will leave here Monday for a two-week sales trip through the South.

•

JOHN JENKINS of Astor Pictures, Dallas, and also of Dixie Films Corp., New Orleans, was a New Orleans visitor this week.

•

JOHN JOSEPH, Universal-International advertising-publicity director, left New York yesterday for the Coast.

•

DAVID GOLDING, London Films publicity director, sailed for London yesterday from New York on the *SS Queen Elizabeth.*

•

ORTON H. HICKS, director of Loew's International's 16mm. department, will fly to Rome on Monday from London.

•

CHARLES DIETZ, M-G-M field representative in Detroit, is in New York.

•

MAURICE A. BERGMAN, U-I Eastern advertising-publicity head, will return to New York Monday from Florida.

•

HAROLD S. DUNN, Eagle Lion circuit sales manager, left here yesterday for Albany, Gloversville and Buffalo.

•

OSCAR MORGAN, Paramount short subjects sales manager, will return here today from Los Angeles.

•

BENEDICT BOGEAUS is scheduled to arrive here from the Coast on Monday.

•

CLINTON J. (PAT) SCOLLARD, Paramount home office executive, is back in New York from a Hollywood visit.

•

HERB COPELAN, zone manager for Warner theatres in Latin America, is in New York from Havana.

•

DOROTHY LAMOUR will arrive in New York from the Coast tomorrow.

Petrillo, 4 Networks Sign Pact on Video

Explaining that he was aiding an "infant industry," James C. Petrillo, president of the American Federation of Musicians, yesterday announced the signing of a six-month interim agreement on television wage rates with NBC, Mutual, ABC and CBS. The agreement will become effective today.

The agreement limits video wages to two-thirds of the equivalent radio wages for local shows and three-quarters of the equivalent radio wages for network shows. The union also restricted filming of live telecasts to two purposes: for file records and for shipments to a network affiliate for a single broadcast.

Insider's Outlook

By RED KANN

THE rumor boys insist all is not lost between Howard Hughes and Floyd Odlum on a deal for control of RKO, now held by Odlum via Atlas. Their story, with which they may be stuck, has it that Purchaser Hughes and Seller Odlum failed to see eye to eye on the studio's inventory column, evaluating finished productions not yet released and others not yet finished at $32,000,000.

Unconfirmed, but around, is a tale of a sportman's offer considered on both sides. It is supposed to have been this: If the product accepted at $32,000,000 grossed $44,000,000 in approximately five years, Hughes was to pay Odlum an additional $4,000,000. If the gross were $36,000,000, Odlum was to fork over $4,000,000 to Hughes.

Purchase figure on Odlum's stock was about $9,000,000.

■ ■

Following a course which will not increase his Hollywood acceptance, Bruce Humberstone, the director, raises a couple of questions about biographical films: "The product is sometimes more hysterical than historical. By the time it has been run through the wringer of endless story conferences, legal department nixes and screen treatment, the average biography winds up so factually cockeyed as to have only a questionable educational value."

And questionable entertainment value, also.

■ ■

Sid Samuelson, general manager of Allied of Eastern Pennsylvania, whose bulletin No. 15 poked distributors for wholesale reductions in trade paper advertising, posed quite a question with this:

"How can the distributors expect the exhibitors to really sell the product if they themselves do not pre-sell it?"

Well?

■ ■

Charles Schlaifer, 20th-Fox's adv.-pub. director and chairman of the MPAA advertising advisory council, giving out before the New York Chapter of Kentucky Women: "Our pictures have not always been up to the mark. We did fall into the error of using colossal adjectives until the lexicon of superlatives was so strained that, when we reverted to simple language, the effect was truly colossal."

A man named W. G. Van Schmus at a theatre called Radio City Music Hall proved that years ago.

■ ■

A few hours after Tom Breneman's death Wednesday, UA announced it was rushing prints of "Breakfast in Hollywood" to all exchanges "in anticipation of a heavy demand" for the radio comedian's only film.

Nothing must interfere with the relentless wheels of commerce, of course.

■ ■

HISTORICAL NOTE: "The Emperor Waltz," trade-showing at the Normandie Theatre here this morning and opening shortly at the Music Hall, will mark Paramount's return to this premiere house after an absence of almost two years. Last to play there was "To Each His Own," which opened on May 23, 1946, and held the fort for four weeks.

■ ■

Remarked one film man to a producer noted [and notorious] for his roughshod tactics:

"If you're not careful, you'll end up with ulcers."

Retorted the producer:

"I don't get 'em. I give 'em."

■ ■

Howard Lindsay and Russel Crouse, authors of "State of the Union," stipulated the film version must go into general release before the Republican and Democratic national conventions.

An influence for or against?

■ ■

TAKE - YOUR - CHOICE - DEPARTMENT: Allied Rocky Mountain wants to halt all negotiations looking toward a new contract with Ascap. Allied of Indiana advises exhibitors to sign one-year deals.

■ ■

Whatever happened to "Mourning Becomes Electra"?

Hayward in Bolton's 1st

HOLLYWOOD, April 29.—AFA Productions, independent producing company formed by Whitney Bolton, will star Louis Hayward in "No Escape" as the first among five features scheduled.

Canadian Exports Rise

OTTAWA, April 29.—The Canadian government reports that exports of films from this country for the first three months of 1948 rose to $929,000, against $695,000 in the corresponding period last year.

Johnston Dines U. S. And Bank Officials

WASHINGTON, April 29.—Motion Picture Association of America president Eric Johnston was luncheon host today at MPAA headquarters to five top-ranking financial officials.

They were Secretary of the Treasury Snyder, Paul G. Hoffman, head of the European Cooperation Administration, Bank of America chairman A. P. Giannini, the bank's executive vice-president, Walter J. Braunschweiger, and Giannini's Washington representative, Roland Pierotti.

All parties maintained the luncheon was a "purely social get-together," and that industry finances and foreign arrangements had not been discussed.

Cohen Heads MPAA's Foreign Committee

The Motion Picture Association of America's International Film Relations Committee has elected Sam Cohen chairman for the next year, in line with its policy of yearly chairmanship rotations. The United Artists foreign publicity director succeeds Fortunat Baronat of Universal-International.

John F. Sonnett Resigns

WASHINGTON, April 29.—President Truman today accepted "with reluctance" the resignation of John F. Sonnett, assistant Attorney General in charge of the anti-trust laws, effective May 15. Sonnett, one of the Government's attorneys prosecuting the federal anti-trust suit against Paramount *et al,* has not revealed his future plans. nor has there been any indication who will be his successor.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer TRACY Katharine HEPBURN Van JOHNSON
Angela LANSBURY Adolphe MENJOU Lewis STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Poromount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra FOUR STEP BROS. • GEORGE WEST EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpuhco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

12 Yearly in U.K.

(*Continued from page* 1)

story properties with sterling and the possibility of establishing film printing laboratories here, Rank said.

Rank reported that he received assurances from American industry leaders that they will "get behind" British pictures and added that he, in turn, will undertake to pay greater regard to American demands in selecting subjects for American playing time. Rank producers, he said, will attempt to make their actors speak more understandably for American audiences, along with the suggestion he received from U. S. distributor and exhibitor chieftains.

Rank Video 'Ahead of US'

Rank claimed that his broad screen theatre television is technically more advanced over that in America. He said American television screens measure only 18-by-12 feet, whereas his theatre television is already operating satisfactorily with 20-by-16-foot screens. He said he awaited only the British government's announcement of its intentions regarding theatre television before embarking on television shows in his key West End theatres. One American corporation—presumably NBC—he reported, is negotiating to utilize Rank films on American television.

Rank said more effective pre-publicity campaigns will be accorded his pictures. He said "Henry V" is still earning more money in America than any other British picture, and believes "Hamlet," with wider roadshowings, will do better than "Henry."

Music Hall 'Interested' in Two

Rank's Odeon theatres in Canada, he stated, devoted only four per cent of their playing time to British pictures in 1945, whereas at present they are playing 24 per cent. The British film leader said that he believes similar results can be produced in America with the proper endeavor. Radio City Music Hall in New York is "interested" in two of his forthcoming releases, he reported.

There have been "ruthless" cost cuts made in Rank pictures, he admitted. His "average" picture now costs 150,000 pounds ($600,000), and occasionally a "special" will reach 200,000 pounds ($800,000), he said.

Quiz Wilson

(*Continued from page* 1)

mons alluding to the possibility of U. S. producion of low-grade films with a view to discrediting British output, Wilson replied that he has no censorship powers over either British or American films and, furthermore, that steps have been taken under the Quota Act to prevent "quota quickies."

Breakdown of U. S. Theatres Based on QP Market Study

THE 64.1 per cent of total seating capacity (7,249,945) in 8,605 circuit houses in the U. S. account for only 51 per cent of the theatres operating; some 8,275 independent theatres, representing 49 per cent of all houses, have only 4,052,375 (35.9 per cent) of all seats. This was disclosed in *Motion Picture Daily* on April 26, in reporting first results of a market study of exhibition in the U. S., as prepared by Quigley Publishing Co., Inc., from the theatre census recently completed by the Motion Picture Association of America. The QP market survey now reports a breakdown of circuit seating capacities as follows:

	Operating Theatres	Operating Seats	Cumulative Total Theatres	Cumulative Total Seats
Over 3,999 seats	15	66,750	15	66,750
3,000 to 3,999	74	246,838	89	313,588
2,000 to 2,999	320	760,133	409	1,073,721
1,000 to 1,999	1,872	2,545,380	2,281	3,619,101
401 to 999	5,071	3,220,398	7,352	6,839,499
Under 401 seats	1,253	410,446	8,605	7,249,945

A breakdown of non-circuit theatres (less than four theatres operated by the same management) follows:

	Operating Theatres	Operating Seats	Cumulative Total Theatres	Cumulative Total Seats
Over 3,999 seats	2	11,835	2	11,835
3,000 to 3,999	1	3,387	3	15,222
2,000 to 2,999	28	62,563	33	77,785
1,000 to 1,999	327	429,736	358	507,521
401 to 999	3,304	2,154,589	3,662	2,662,110
Under 401 seats	4,613	1,390,265	8,275	4,052,375

Total capacities for all theatres follow. (Sixty-five per cent of all non-circuit theatres are in theatres with capacities of more than 400.)

	Operating Theatres	Operating Seats	Cumulative Total Theatres	Cumulative Total Seats
Over 3,999 seats	17	78,585	17	78,585
3,000 to 3,999	75	250,225	92	328,810
2,000 to 2,999	348	822,696	440	1,151,506
1,000 to 1,999	2,199	2,975,116	2,639	4,126,622
401 to 999	8,375	5,374,987	11,014	9,501,609
Under 401 seats	5,866	1,800,711	16,880	11,302,320

Eighty-five per cent of all circuit theatres have a capacity of more than 400. Forty-four per cent of the non-circuit theatres have a capacity of more than 400. Another way of putting it—94 per cent of all circuit seats are in theatres with more than 400 capacity and 66 per cent of all non-circuit seats are in theatres with a capacity of more than 400.

FP-C To Build

(*Continued from page* 1)

directors of the corporation were re-elected.

Addressing stockholders in his annual report, the FP-C president complained of the discriminatory nature of taxes in the amusement field, pointing out that the company had collected more than $8,000,000 in amusement taxes during 1947 and handled more than $12,000,000 in various other taxes. The work in connection with handling taxes had added considerably to the cost of operation, he said.

3 Film Leaders Cited

Barney Balaban, Paramount president; Darryl F. Zanuck, 20th Century-Fox production vice-president, and Dore Schary, RKO Radio production head, will be presented with "America's Democratic Legacy" awards at the annual conference of B'nai B'rith in Los Angeles on May 5-7.

Capital DST Sunday

WASHINGTON, April 29.—The District of Columbia will go on daylight saving time Sunday at 2 A.M. President Truman today signed a bill authorizing the District commissioners to put daylight saving into effect.

Trumbo Trial Jury

(*Continued from page* 1)

Negroes, to the statement that the Government will contend there was "intentional refusal" on the part of Trumbo to give "responsive" replies to the two questions during last October's probe of Communist infiltration into the motion picture industry.

Earlier, Federal Judge David A. Pine denied a defense motion to quash the jury panel on the grounds of discriminatory methods of selection by the District of Columbia jury commission.

The Government opened its case against Trumbo by questioning Rep. John MacDowell, a member of the sub-committee which conducted the original hearings.

The jury was excused while Hitz attempted to gain a ruling by Judge Pine that the committee had the right to question Trumbo regarding his union and political affiliations

Hitz offered as evidence of pertinency the testimony of producer Sam Wood and writer Richard Macauley during the hearings that Trumbo is a Communist. In response to the questioning, MacDowell stated that the committee had their testimony "in mind" when the questions which Trumbo is charged with refusing to answer were asked.

Jury Acquits 12

(*Continued from page* 1)

run films on an equal basis with Shea's Roosevelt Theatre, was McConnell's third consecutive setback in court. Last month, his case for B. R. McLendon against major distributors, Interstate and Robb and Rowley circuits was dismissed by a Dallas Federal court. Last week, he failed to obtain contempt citations in the Jackson Park case in Chicago against a majority of defendants.

Salkin, Samuelson Testified

Among witnesses called by the Rivoli in the five-week trial here were Richard Salkin, operator-manager of the Jackson Park Theatre, Chicago, and Sidney Samuelson, vice-president of Allied States. The latter admitted on the stand that he was paid $100 daily by the Rivoli for testifying as an "expert."

F. P. Pawlicki, Rivoli bookkeeper, admitted under cross-examination during the trial that incorrect statements of box-office receipts at the Rivoli had been furnished to distributors in an attempt to obtain film rental adjustments.

Judge Harold P. Burke, who presided at the trial, dismissed the complaint following the jury's verdict. It was held that plaintiff had failed to show a cause of action.

Defendants were: Buffalo Theatres, Inc., Loew's, Paramount, RKO Radio, 20th Century-Fox, Warner Brothers and United Artists. Earlier and at the conclusion of the plaintiff's case, the judge had dismissed the case as to Columbia and Universal.

'Illegal' Release Setup Charged

The plaintiff had charged that the defendants maintained an illegal system for the release of motion pictures in Buffalo involving run, clearances, the fixing of minimum admission prices, and further charged that all of the defendants discriminated in favor of the Roosevelt Theatre in which Paramount and Loew's had a stockholder interest and against the plaintiff's Rivoli.

Uphold Delaware as Suit Locale: Tivoli

WASHINGTON, April 29.—Tivoli Realty Co. today told the Supreme Court that Delaware is the "only appropriate forum" for its anti-trust suit against Interstate Circuit, Inc., and the major motion picture distributors.

Tivoli asked the court to turn down a petition of the defendants for review of a Circuit Court of Appeals decision allowing Tivoli to proceed with its suit in Delaware. The circuit court reversed a district court decision that Texas was the appropriate forum, and that prosecuting the case in Delaware would work undue hardships on the defendants.

Mayer Sells Rialto

(*Continued from page* 1)

industry, he said, so he's getting out—and into a new risk-venture, television.

Associated with him in the Rialto enterprise were Sam Dembow, Jr., and Barney Balaban. Mage will use the house as a showcase for some of his film importations. However, first booking under his management will be Film Classics' "Will It Happen Again?", a story of the rise and fall of Adolph Hitler.

LET'S TAKE A "new

Gentleman's Agreement

The most acclaimed motion picture in history! The most long runs! The most holdovers! The most moveovers! The most new box-office records of any film today!

Call Northside 777

. . . is the biggest box-office hit of all 20th's true-to-life dramas, topping such great grossers as "BOOMERANG!" and "13 RUE MADELEINE"!

Sitting Pretty

. . . 20th's all-time record laugh-hit, is piling up bigger grosses than "MARGIE" or "MOTHER WORE TIGHTS" all over the country!

IT'S A FACT!

The entire trade, from Variety Business Reports to
For Me," reports that the biggest grosses in every size the

Look" AT THE FACTS!

The Iron Curtain

The most sensational and timely subject ever brought to the screen! World Premieres in 500 theatres coast-to-coast the week of May 10th!

Anna Karenina

. . . is now premiering at the Roxy Theatre, New York. "That the picture will play to big grosses is certain," says Variety!

Green Grass Of Wyoming

Compared by preview audiences to "SMOKY," "THUNDERHEAD," and other great 20th Technicolor triumphs! 8-state Premiere,

Boxoffice Barometer to "What The Picture Did
atre in every size town are being made today by

20th CENTURY-FOX

Rank's 'Brothers' To Open Here Tuesday

J. Arthur Rank's "The Brothers," a Prestige release here, will open at the New York Sutton Theatre on Tuesday. Peter Burnup, *Motion Picture Daily's* editor in London, in a review on June 4, 1947, called it a picture which "will delight the connoisseur of camera-work," and "a challenge . . . to the picture patron of intelligence."

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CLEVELAND

Midsummer temperature and a clear weekend put a serious dent in most grosses, although "The Big Clock" and "Miracle of the Bells," of the new product, hit a high $21,500 and $14,500, respectively. Estimated receipts for the week ended April 27-28:

ADAM HAD FOUR SONS (Col.) and THE DOCTOR TAKES A WIFE (Col.)—LOEW'S STILLMAN (1,900) (50c-70c). Gross: $9,000. (Average: $10,000)
BIG CLOCK (Para.)—LOEW'S STATE (3,300) (50c-70c). Gross: $21,500. (Average: $19,500)
MIRACLE OF THE BELLS (RKO Radio)—RKO ALLEN (3,000) (55c-70c). Gross: $14,500. (Average: $13,000)
SCUDDA HOO, SCUDDA HAY (20th-Fox)—RKO PALACE (3,300) (55c-70c). Gross: $13,500. (Average: $15,500)
SITTING PRETTY (20th-Fox)—WARNER'S LAKE (714) (55c-70c) 2nd week, following a week at the Hippodrome. Gross: $4,200. (Average: $3,000)
UNCONQUERED (Para.)—LOEW'S OHIO (1,268) (50c-70c) 2nd week, following a week at the State. Gross: $6,500. (Average: $6,600)
WOMAN IN WHITE (WB)—WARNERS' HIPPODROME (3,500) (55c-70c). Gross: $15,000. (Average: $18,250)
YANK IN ROME (Imperial)—LOWER MALL (563) (50c-70c). Gross: $2,500. (Average: $2,500)

KANSAS CITY

Another week of hot, clear weather cut first-run and neighborhood theatre attendance drastically while people swarmed outdoors. Estimated receipts for the week ended April 27-29:

THE ADVENTURES OF ROBIN HOOD (WB) and MY GIRL TISA (WB)—ORPHEUM (1,900) (45c-65c). Gross: $11,000. (Average: $10,000)
APRIL SHOWERS (WB)—PARAMOUNT (1,900) (45c-65c) 2nd week. Gross: $9,000. (Average: $10,000)
B. F.'s DAUGHTER (M-G-M) and TRAPPED BY BOSTON BLACKIE (Col.)—MIDLAND (3,500) (45c-65c). Gross: $18,000. (Average: $15,000)
THE CRYSTAL BALL (Masterpiece) and I MARRIED A WITCH (Masterpiece)—ESQUIRE (800) (45c-65c) 2 days. Gross: $700. (Average, two days: $1,200)
A DOUBLE LIFE (U)—FAIRWAY (700) (45c-65c). Gross: $1,490. (Average: $1,750)
A DOUBLE LIFE (U)—TOWER (2,100) (45c-65c). Gross: $7,200. (Average: $9,000)
A DOUBLE LIFE (U)—UPTOWN (2,000) (45c-65c). Gross: $5,100. (Average: $6,000)
SEVEN SINNERS (Realart) and SUTTER'S GOLD (Realart) (Both re-released through Eagle Lion)—ESQUIRE (800) (45c-65c) 5 days. Gross: $4,000. (Average, 5 days: $4,000)

$552,829 DuMont Net for 12 Weeks

Allen B. Dumont Laboratories reports a net income of $552,829 for the first 12 weeks of 1948, after charges and taxes, equivalent to 27 cents per share. This compares with a net loss of $163,231 for the same 12 weeks last year.

Sales during the 12 weeks of 1948 amounted to $4,397,513, compared with sales of $1,980,150 for the first 12 weeks of 1947.

5 Industry Shorts

(*Continued from page* 1)

venture," using the idea of films as a "magic carpet" to take the patron anywhere in the world, will be rolling at Universal in about two weeks.

A new script has been prepared for M-G-M's "Screen Actors," and actual shooting may begin within a week. Finally, 20th Century-Fox's "The Art Director" is under way and a rough cut is expected to be ready in three weeks.

Short on American Fire Losses Prepared by MPAA Members

A short subject on national fire losses has been prepared by the Motion Picture Association of America with the aid of member companies. The film will be available to conservation and governmental groups.

John McCullough, head of the MPAA's conservation department, will show the subject at a convention of the National Fire Protection Association in Washington on May 11. Included in that program will be M-G-M's "Going to Blazes" and RKO Radio's "Smoke Eaters."

New MPAA Film on Capitalism

Second in the series of the Motion Picture Association of America public service films, it is understood, may be made by RKO Pathe, entitled "Letter from a Rebel."

Like "Power Behind the Nation," made for the MPAA by Warner Brothers last year, the new subject will deal with capitalism.

Quarterly Income

(*Continued from page* 1)

000; third, $28,907,000; (fourth, 1946, $31,409,000. Republic: 1947, fourth quarter, $7,306,000; third, $7,524,000; (fourth, 1946, $6,410,000). Universal: 1947, fourth quarter, $17,912,000; third, $16,634,000; (fourth, 1946, $15,505,000).

Gross income of Columbia's foreign subsidiaries amounted to $3,781,000 for the quarter ended Sept. 27, 1947, compared with $4,889,000 for the quarter ending June 30, 1947, and $4,295,000 for the quarter ended Sept. 28, 1946.

RKO reported earnings of $4,575,000 for subsidiaries not consolidated operating in foreign territories, in the fourth quarter of 1947, compared with $3,606,000 in the third quarter of 1947, and $4,230,000 in the fourth quarter of 1946.

Master in Deal with Monogram for Three

HOLLYWOOD, April 29.—Steve Broidy, president of Monogram, has closed a releasing deal with Master Films, for three productions. First picture will be "Incident," by Harry Lewis.

DO NOT REMOVE

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 85 NEW YORK, U.S.A., MONDAY, MAY 3, 1948 TEN CENTS

RE ASSOC. OF ST., 21ST FL

Para. Net Is 2nd Largest In Its History

Income of $31,668,709 Is Reported for 1947

Second largest net in the history of Paramount, $31,668,709, after all charges, including estimated provision for taxes on income, were reported on Friday by Barney Balaban, president of the company, for the year ended Jan. 3, 1948. In a 53-week 1946 fiscal year the firm earned a record $44,042,106, which included $4,843,000 of undistributed earnings of partly-owned non-consolidated affiliates.

Included in Paramount's 1947 earnings was $3,429,000 representing the company's net interest as a stockholder in the combined undistributed earnings for the year of partly-owned non-consolidated affiliates.

Operating revenues of consolidated companies for 1947 were $189,025,600, compared with $194,701,099 for 1946, and operating revenues of partly owned non-consolidated companies aggregated approximately $150,000,000 for each of the two years, of which Paramount's share was approximately $70,000,000 for each year.

The amount earned per common

(*Continued on page* 4)

Wilson Hits Studio 'Grab'

LONDON, May 2.—The British government is prepared to assume powers to regulate the leasing of studios if American producers continue their alleged atempts to "beat the gun" in securing British production facilities to operate under the terms of the *ad valorem* tax settlement agreement, British Board of Trade president Harold Wilson has informed both British and American producers. Wilson in-

(*Continued on page* 6)

Trumbo Defense to Put Mayer on Stand

WASHINGTON, May 2.—Attorneys for screen writer Dalton Trumbo will put M-G-M president Louis B. Mayer on the stand when the contempt of Congress trial resumes tomorrow. The Government expects to recall Rep. John McDowell (R.-Pa.) as a witness and will attempt to prove that Trumbo

(*Continued on page* 4)

Honor Vincent For His Welfare Work

Leaders from all branches of the entertainment industry gathered at the Hotel Astor here last night to pay tribute to Walter Vincent, circuit executive and pioneer showman, at a dinner sponsored by the Jewish Theatrical Guild. Vincent, a prime mover in industry welfare work and one of the founders of the Motion Picture Foundation, was honored as president of the Actors Fund of America.

Walter Vincent

Among those praising Vincent's efforts were Spyros P. Skouras, S. H. Fabian, Gene Hersholt, George Jessel, Bert Lytell, Gene Buck, Harry Hershfield, and others.

26-Week Universal Sales Drive Starts

Universal-International has launched a 26-week "Presidential Sales Drive," William A. Scully, distribution vice-president announces, adding that for the first time with U-I periodic prizes of merchandise will be awarded throughout the period.

Pictures in the drive include "The

(*Continued on page* 4)

285 Television Stations Pending

Seventy television stations are now under construction in the U. S. and 215 applications are on file with the Federal Communications Commission, reports Dr. Allen B. DuMont, president of DuMont Laboratories, who told a luncheon-meeting of the New York Financial Advertisers that "television will be the greatest growth industry in the United States this year."

DuMont stated that at the end of 1947 there were 210,000 receivers in the country and there are now more than 340,000. He added that while at the end of 1946 there were but 31 advertisers in television, the end of 1947 saw 210, and the most recent count, on April 23, revealed 237. He said that soon radio will be supplementary to television.

DuMont stated that by the end of the year, telecasters in New York will be transmitting pictures by light-beams instead of radio-waves from such points as Madison Square Garden and other sporting arenas. Advantages of this system, he explained, would be decreased costs, plus the fact that under this system there is no need for an FCC license, and the equipment can be carried by one man.

Mayer May Produce Shorts for Video

Arthur Mayer, who withdrew from operation of the Rialto Theatre at Broadway and 42nd Street last week, is reported to be forming a new company which will produce short subjects for television programs. Sam Dembow, Jr., who shared an interest in the Rialto with Mayer, also is reported interested in the new company.

"The Emperor Waltz"

[*Paramount*] — Crosby in Top Form

BING was never better than in "The Emperor Waltz" and not as good since "Going My Way." Aside from his native talent which nothing in which he appears can ever be submerged, this time he was fortunate in having the clever Charles Brackett and Billy Wilder guiding his enterprise.

And guide it they assuredly have. This team, which made the memorable "Lost Weekend," wrote the story together and thereafter Brackett produced and Wilder directed. Basically, their operetta-like comedy is familiar and ordinary enough, once again telling of romance between commoner and baroness and how they part only to be rejoined in a love-triumphant sort of finish. It sounds corny and old-fashioned and in other hands would have been.

But producer and director expertly tailored their meagre story to the personality and the talents of their principal star, kept a delightful sense of humor in the forefront of their treatment and embroidered their situations with chuckle and charm. Additionally, they moved in the direction of the midly risque without serious invasion of the questionable.

The story-line will convey what "The Emperor Waltz" is about, but the

(*Continued on page* 4)

TOA's Public Relations Now In High Gear

Activities Already on National Scale: Gamble

The industry public relations campaign of Theatre Owners of America already is in high gear and will gather momentum from now on, Ted R. Gamble, TOA president, told trade press representatives at a luncheon meeting at the Hotel St. Moritz here on Friday.

Reported on at the same meeting was TOA's plans for cooperating on a national basis with Attorney General Tom Clark and the National Conference on Prevention and Control of Juvenile Delinquency in "Youth Month," starting next September.

Gamble revealed that articles counteracting and correcting misinformation concerning the industry which received national circulation during the past several months have been prepared by TOA's public relations committee, under the chairmanship of Earl Hudson, head of United Detroit The-

(*Continued on page* 6)

Urges Aid On Delinquency

An appeal to the nation's exhibitors to join in plans for assisting the Department of Justice and the National Conference on Prevention and Control of Juvenile Delinquency in the promotion of "Youth Month," starting next September, was made by Charles Skouras at a luncheon meeting at the St. Moritz Hotel here last Friday.

Skouras is chairman of the Theatre Owners of America committee for

(*Continued on page* 6)

Bidding Linked to Adverse Publicity

Competitive bidding has acted to prevent advance selling of pictures by exhibitors who, under the court-decreed system, have no certainty what product they will be playing, Charles Skouras, head of National Theatres, said at a luncheon meeting here on Friday.

Skouras referred to the circumstance in discussing recent adverse

(*Continued on page* 6)

Personal Mention

JENNIE STOKES, M-G-M head inspectress at Omaha, has celebrated her 25th year at the exchange there.

•

LEON J. BAMBERGER, RKO Radio sales promotion manager, left here over the weekend for Little Rock to address the Independent Theatre Owners of Arkansas. He will be joined there by BEN Y. CAMMACK, RKO Southwestern district manager; R. V. REAGIN, Memphis branch manager, and MAURICE BASSE, Arkansas sales representative.

•

C. J. FELDMAN, Universal-International Western division sales manager, has arrived in San Francisco from New York. He is expected back here May 14.

•

ALFONSO SANCHEZ TELLO, Mexican producer, MARIO MORENO ("CANTINFLAS"), Mexican screen star, and MIGUEL M. DELGRADO, scenarist, are in Paris from Mexico City.

•

JEANNETTE SHEFFELD, secretary to TOM NEELY of National Theatre Supply Co., New Orleans, and W. Y. DEJARNETTE were married in that city recently.

•

CHARLES YUILLE, who is associated with Astor Pictures president ROBERT M. SAVINI in Charbob Pictures, and MRS. YUILLE are in town from Miami.

•

STEVE FITZGIBBONS and MICKEY ANDELMAN are due here today from Boston. They will stay at the Hotel Edison.

•

ANDRE LELARGE, president of European Copyrights and Distribution, left here over the weekend by plane for France.

•

MILTON FELDMAN and MRS. FELDMAN have become the parents of a daughter, SUSAN, born in Hollywood.

•

BENGT JANZON, Swedish producer and former Paramount publicity director in Sweden, will arrive in New York today from that country.

•

JOSEPH HARRIS, Realart board chairman, and BUDD ROGERS, sales chief, have returned to New York from Philadelphia and Washington.

•

ARTHUR DUTTON of Omaha has sold the Donis Theatre, Davenport, Neb., to DALE SKINNER of Deshler, Neb.

•

ALBERT W. PROTZMAN has been appointed television technical production director for NBC here.

•

PETE ROME of the Rome Circuit, Baltimore, and MRS. ROME were in town over the weekend.

•

JOSEPH M. SCHENCK, 20th Century-Fox production executive, has returned to the Coast from New York.

Tradewise . . .

By SHERWIN KANE

INDUSTRY attorneys are beginning to think life's worthwhile again.

With two victories and a draw, or better than that, in their last three trips to court, they are regaining confidence in themselves and the American system of jurisprudence, after having nearly abandoned both.

For a period of almost two years, court decisions with but few exceptions were unfavorable to major company defendants and affiliated circuits in actions brought by small theatre interests. In addition, there was no good news forthcoming as the Government anti-trust suit against the industry progressed.

Of late, the judicial pendulum has wavered somewhat in the other direction. It began in March with complete vindication of major defendants in the McLendon anti-trust suit in Dallas, with the presiding judge dismissing the complaint almost immediately after the trial.

It was followed 10 days ago with vindication of all personal defendants and all but three corporate defendants in the Jackson Park Theatre contempt action in Chicago. The decision there established hope for the first time of future changes in the court's decree and meted what are regarded as mild penalties to the three found to have technically violated the decree. The decision was surprising, coming from a judge who, during the hearings, had scolded the defendants with a choice of words definitely unusual when employed by an impartial authority.

Last week, major company defendants racked up another victory when a jury, after 55 minutes of deliberation returned a verdict of no cause of action in their favor in the Rivoli Theatre treble damage anti-trust action in Buffalo.

It is interesting to note that Thomas C. McConnell, Chicago attorney, who helped start the long line of adverse rulings against the major interests with his successful prosecution of the Jackson Park Theatre (Bigelow) case, was the attorney in all three of the losing actions.

It would seem you still need more than a bill of complaint to win in the courts of the land.

• •

The appointment of Gael Sullivan, executive director of the Democratic National Committee, as executive director of Theatre Owners of America threatens to bring about some repercussions in TOA ranks.

Some directors of TOA are miffed because they were not consulted on the appointment in advance. Others oppose it because they disapprove of a politician of national proportions as the managing head of their organization and contend that Sullivan may be more of a liability than an asset to TOA legislative activities if the Democratic Party is defeated, as predicted, in the next elections.

Still other directors are a bit sour about it because the first they heard of the Sullivan appointment was when they encountered his disclosure of it in their daily newspapers.

There are others who are considerably disturbed about those published reports from Washington that Sullivan's salary for his TOA stint is to be $50,000 annually. Where is that kind of dough coming from and for what kind of services to be rendered to TOA and its membership? they want to know.

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Technically, it appears TOA's executive committee, which confirmed Sullivan's appointment, was within its rights in employing him as executive director, a non-elective post, without consulting the directorate.

However, TOA officials obviously attach importance to Sullivan's appointment and the post he is to fill is a strategic one in the organization. It ranks in importance with that of the president and should the president be forced by business considerations to restrict the amount of time he is able to devote to TOA affairs, the executive director might well be more influential within the organization than the president himself.

Perhaps TOA leaders would have been wise to have referred the appointment and its announcement to their organization's new industry public relations bureau which is doing such a good job around the country. That might have resulted either in averting or promptly denying that $50,000 salary report, disturbing to TOA members and lending substance to the public impression that politicos can always join the industry at triple their former salaries when the going gets tough.

Newsreel Parade

BRITAIN'S King and Queen on their silver anniversary is a current newsreel highlight. National and international news, sports, fashions and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 35—Brit monarchs acclaimed on silver anniversa Red post-election demonstration in Milan. New dam in Puerto Rico. American mother of 1948. Mother of 10 at 27 years of age. Horse racing. Auto racing. Shooting the rapids.

NEWS OF THE DAY, No. 269—London acclaims King and Queen on silver anniversary. Reds in post-election riot in Italy. Notables arrive on S.S. Queen Elizabeth. Giant dam brings hope of new era to Puerto Rico. Turf racing. Outdoor circus in Germany.

PARAMOUNT NEWS, No. 72—Reds riot in Milan. German circus thrills amid ruins. Royalty honored in England.

UNIVERSAL NEWS, No. 139—London cheers King and Queen on silver anniversary. Princess Elizabeth installed in Order of Garter. Open air voting in Switzerland. Underground explosion shatters French building. Divers discover mermaid at Santa Cruz. Yacht regatta. High wire acrobatics in Germany.

WARNER PATHE NEWS, No. 74—People in the news: Averell Harriman, Mrs. Franklin D. Roosevelt, King Peter of Yugoslavia. Britain honors Royal Family. Swiss elections. Outdoor school for models. Brooklyn fan sees Dodgers lose. Daredevils in hill climb. Great events: Manila Bay.

Ga. MPTO Opens Annual Meet Today

ATLANTA, May 2.—The Motion Picture Theatre Owners and Operators of Georgia will open its first annual convention at the Henry Grady Hotel here tomorrow. The meeting will run through Tuesday.

An address by Ted Gamble, Theatre Owners of America president, on "Our Industry's Future" and a discussion of TOA activities by Robert W. Coyne, its executive director, will highlight the first day's business sessions, at which J. H. Thompson, Georgia MPTO president, will preside.

Other speakers listed for the meeting include Terry Ramsaye, editor of *Motion Picture Herald*, who will analyze the industry's public relations program; R. B. Wilby of the Wilby-Kincey circuit, who will discuss trailers; J. T. Redd of Wil-Kin Theatre Supply Co., whose subject will be maintenance of equipment and buildings, and John Stembler, counsel for the Georgia Theatres Co., who will discuss the state's building code.

Next Jolson Film to Col.

Next Jolson picture will be made for Columbia, the company announced here at the weekend. Negotiations have been completed between Jolson and the company for the production of a picture based on further episodes in of the life of the entertainer which were not included in "The Jolson Story," which Columbia also released.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Feeke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising, Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

FEAR RIDES BESIDE EVERY PASSENGER ON THE BERLIN EXPRESS!

DORE SCHARY in Charge of Production

Produced by BERT GRANET • Directed by JACQUES TOURNEUR • Screen Play by HAROLD MEDFORD

"First-rate mystery thriller . . . Strong cast . . . Background shots outstanding." — *BOXOFFICE*

"Exciting melodrama . . . most of the film was made on the scene — Paris, Frankfurt, Berlin . . ." — *M. P. HERALD*

"Fast melodrama backed by solid cast and authentic backgrounds . . . might ride the headlines into the boff B.O. class." — *VARIETY*

"Sure-fire boxoffice . . . melodrama comparable with the best." — *FILM DAILY*

"First-rate melodrama . . . superb touches of realism and on-the-spot background photography." — *M. P. DAILY*

"Exciting . . . well made and maintains interest on high . . ." — *THE EXHIBITOR*

"Thrilling, absorbing, timely, dramatic . . . Extensive exploitation recommended." — *SHOWMEN'S TRADE REVIEW*

"As action display and exploitation item, geared for quick, profitable playoff." — *HOLLYWOOD REPORTER*

"Shots of bombed-out Berlin and Frankfurt alone make it worth the price of admission." — *DAILY VARIETY*

...They all say

IT'S IN FOR THE MONEY!

Para. Net

(*Continued from page* 1)

share for 1947 on the basis of combined consolidated earnings and share of undistributed earnings was $4.46 on 7,092,839 shares outstanding, which compares with $5.92 per share for 1946 on 7,443,772 shares.

Dividends paid during the year amounted to $14,347,778, or $2 per share, compared with $12,358,349, or $1.65 in 1946.

Consolidated balance sheet shows that cash and government securities on January 3 amounted to $38,575,544, all located in the United States and Canada, except $699,271 in Great Britain, $591,601 in nations in the Western Hemisphere and $589,052 in other foreign countries. Total current assets were $95,511,702, and current liabilities $16,067,434, leaving a net working capital of $79,444,268, an increase of $5,881,969 during the year.

Inventory Down $2,400,000

Balaban told the company's stockholders that "inventory, excluding inventory of companies acquired during 1947, was $45,138,121, or a decrease of approximately $2,400,000 from the previous year."

The Paramount head disclosed that year-end inventories of Liberty Films and Rainbow Productions, both of which were acquired by the company in 1947, totaled $5,039,887. "Accordingly," he pointed out, "while inventory of our own productions decreased in dollar amount there was, nevertheless, a net increase of $2,635,000 in inventory due to the acquisition of those two companies."

Balaban said that finished Liberty and Rainbow films will be "substantially liquidated" this year through their distribution under arrangements completed with other companies prior to their acquisition by Paramount.

"Consequently," he explained, "distribution of these pictures will not cause Paramount to make any adjustment in its own releasing program, and the future pictures of Liberty and Rainbow will be produced and marketed as a unit with our own."

Stock-buying to Continue

It was disclosed by Balaban that, "consistent with the well-being of the corporation and its general cash needs," Paramount will continue the policy of acquiring its common shares in the open market. He said that all such shares will be available "for any rearrangements of our investments which the final decision in the pending anti-trust suit may require and for the addition of any other interests which would strengthen our operations."

Balaban revealed that the company acquired 138,500 additional shares from the end of the 1937 fiscal year to April 20, 1948.

The Paramount chief also disclosed that the company in 1947 made arrangements with three banks providing a maximum credit of $25,000,000. He said that "should an unusual need for funds arise, and it could arise, for instance, as a consequence of the anti-trust suit, such funds will be available on very favorable terms through this credit."

Dollar revenues from the company's foreign operations were approximately 10 per cent lower in 1947 than in 1946, according to the annual report. This decrease was blamed on "a somewhat reduced volume of business in terms of the foreign currencies of the various countries where we distribute pictures and the increased difficulty of converting foreign currencies into dollars."

Annual stockholders' meeting will be held here on June 15.

"The Emperor Waltz"

(*Continued from page* 1)

values are in the telling and that has to be appreciated. Crosby, selling phonographs, reaches Vienna along about 1908 on assignment to get Emperor Franz Joseph's endorsement. In the process the breezy, easy-going, down-to-earth Crosby meets the aristocratic, class-conscious Joan Fontaine. Their romance blossoms and alongside it the romance of Bing's mongrel and Miss Fontaine's full-bred poodle. All through the film, the twin romances develop with the percentages going to the dogs (meaning the animals) until the two humans finally get together.

All of this develops in Technicolor against a background of the court with its pomp, ceremony and stuffed-shirts. Before he finishes, however, Bing riddles all of it and gets the girl.

Supporting performances are excellent. Miss Fontaine is photographed so beautifully that it becomes easy to understand why Bing goes all the way. Richard Hadyn as the emperor and Roland Culver, as Miss Fontaine's father, have the most to do, but others of competence include Lucille Watson and Sig Ruman.

George Barnes rates a kudo for his photography and Victor Young for his musical score.

Running time, 106 minutes. General audience classification. Release date, July 2, 1948.

RED KANN

"Assigned to Danger"

(*Eagle-Lion*)

FOR patrons who want an hour's surcease from weightier subjects, "Assigned to Danger" is a competent piece of merchandise in the cops-and-robbers sphere.

As an insurance investigator assigned to track down a band of payroll robbers, Gene Raymond turns up at a secluded resort hotel managed by Noreen Nash, wife of the leader of the gang and sister of one who was killed in the getaway. Shortly after his arrival the gang shows up, with Robert Bice, its leader, seriously wounded. Raymond, mistaken for a doctor, is forced to remove the bullet and then is held captive to ensure the recovery of Bice. Miss Nash, however, her loyalty to her husband shattered by the growing love between her and Raymond, helps him to vanquish them. Also in the cast are Jack Overman, Martin Kosleck, Ralf Harolde and Gene Evans. Eugene Ling produced from his own screenplay, based on a story by Robert E. Kent. Oscar Boetticher directed.

Running time, 65 minutes. General audience classification. Release date, not set.

IRVING KAPLAN

'Iron Curtain' Ads In 112 Newspapers

An estimated 27,000,000 newspaper readers in this country were informed yesterday of the nationwide premiere of 20th Century-Fox's "The Iron Curtain" on May 12. The 500-line ads appeared in 112 newspapers, according to Charles Schlaifer, 20th Century-Fox advertising-publicity director.

Cagney Film Benefit

Premiere of William Cagney's "The Time of Your Life," United Artists, at the Mayfair Theatre here on May 25 will be for the benefit of the Wiltwyck School at Esopus, N. Y. Mrs. Franklin D. Roosevelt will be honorary chairman and will also address the gathering.

'U' Sales Drive

(*Continued from page* 1)

Wistful Widow of Wagon Gap," "The Senator Was Indiscreet," "The Exile," "Pirates of Monterey," "A Double Life," "Black Bart," "Casbah," "Naked City," "Are You with It?", "All My Sons," "Letter from an Unknown Woman," "Up in Central Park," "Another Part of the Forest," "River Lady," "Feudin', Fussin' and A-Fightin'," and J. Arthur Rank's "Black Narcissus," "Great Expectations," "The Upturned Glass," "Captain Boycott," "Jassy" and "Dear Murderer."

Details of the drive were set at a series of meetings here attended by John Joseph, advertising-publicity director; E. T. Gomersall, assistant to Scully; A. J. O'Keefe, assistant sales manager; C. J. Feldman, Western division manager; F. J. A. McCarthy, Southern and Canadian division manager; Fred Meyers, Eastern division, and James J. Jordan, contract-playdate manager.

Westrex Announces New Sound Systems

New theatre sound systems have been developed by Westrex, E. S. Gregg, vice-president and manager, has announced. For larger theatres the 1948 models include an entirely new transmission system, while the systems for smaller houses include a new amplifier-power unit on a single chassis, Gregg reports.

Kirk in Popkin Film

HOLLYWOOD, May 2. — Producer Harry Popkin has signed Douglas Kirk to co-star with Laraine Day in "My Dear Secretary."

Appeal Bd. Rules on Eisner Arbitration

The appeal board of the Motion Picture Arbitration Tribunals has amended the award of the Boston arbitrator in the case involving Eisner Theatres, Uxbridge, Mass., against all five major distributors. Under the board's ruling clearances granted to the State Theatre, Milford, Mass., over the Cameo, Uxbridge, will not be arbitrated. In licenses hereafter entered into by the distributors no clearances may be granted in favor of the Stadium, Bijou or Park theatres in Woonsocket, R. I., over the Cameo in Uxbridge.

'Sleeping Pills' Film Planned by Mono.

HOLLYWOOD, May 2.—Purchase of an original story, "Pills, Inc.," from Irwin Gielgud for $30,000 has been announced by Steve Broidy, Monogram president. Jeffrey Bernerd has been assigned to produce the film which, Broidy said, will be an expose of overdosages of sleeping pills and the persons who make the pills available without proper authority.

Trumbo Defense

(*Continued from page* 1)

refused to disclose whether he was a member of the Communist Party at the Hollywood hearings conducted by the House Un-American Activities Committee.

The defense also is expected to introduce a bed-side deposition taken from committee chairman J. Parnell Thomas last week.

On Friday Justice David A. Pine denied a request for a directed verdict of acquittal on the charge that Trumbo had refused to tell the committee whether or not he was a member of the Screen Writers Guild.

Defense attorney Charles Katz argued that the question was not pertinent because the Government failed to show that a "rational hypothesis" existed which justified an inquiry into Trumbo's trade union affiliations.

Defense attempts to show that the control exercised over screen writers prevented the injection of subversive material into their pictures also failed when the court sustained Government objections through the questions asked Screen Writers Guild executive Philip Dunne.

The House on Friday authorized its clerk to answer various defense subpoenas in the trial of Trumbo and Albert Maltz, whose trial is slated to follow that of Trumbo. The clerk was permitted to take along any papers and documents of public record.

QUOTE

Jay Emanuel, theatre owner and publisher of 'THE EXHIBITOR,' in his issue of March 31, 1948 stated editorially: "A TRAILER is still the exhibitor's best medium, and still the cheapest. It is sampling in the best form."

TRAILERS ARE YOUR BEST BUY in ADVERTISING!

Woman's Home Companion, in it's 1947 Movie Survey, says that TRAILERS draw 31% of your Patrons!

UNQUOTE

NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

60% Pay Rise Would Satisfy Mexicans

Mexico City, May 2. — American film industry workers' demands for pay increases pale in comparison to the 60 per cent hike asked for by Mexican studio workers. Forty per cent is the minimum acceptable, they say.

Both American and Mexican production here will cease in June if the workers strike, as they threaten. Producers will refuse to consider such an increase, pointing out that one studio here is losing $400,000 a year.

Bulgaria Creates A Film Monopoly

By ARGEO SANTUCCI

ROME, April 28 (By Airmail). — The Bulgarian government has established a new motion picture monopoly, the Bulgarska Kinematografia, which replaces the Bulgarsko Delo monopoly, formed in October, 1946.

Kinematografia, acting under the direction of the Committee for Science, Art and Culture, will control film production, with the exception of 8mm., or smaller; importation, exportation and distribution of all films; the importation of all machinery, equipment and chemicals relating to the industry; the number of theatres in each city, and their opening and closing, and puts under government control five motion picture firms (Pobeda Film, Laboratorio Joto Jotoff, Rila Film, Svetlina and Ars Films, all of them in Sofia), plus all theatres and their equipment.

Wilson Hits

(*Continued from page* 1)

formed the House of Commons at the weekend of his action.

The BOT president said that when he received reports that certain Americans already are here trying to acquire studio space prior to the official publishing of the tax agreement, he cabled MPAA president Eric A. Johnston stating that the British government cannot agree to this.

While acknowledging that publication of the agreement is long overdue, Wilson told Commons the reason is because of the lengthy New York discussions on details exclusively concerning American interests. He said he had cabled Johnston stating that it will be essential to publish the agreement immediately in view of Commons' concern, and that Johnston had cabled his consent.

Wilson said there is no possibility that the British government will subsidize independent producers, but reiterated that he still hopes to make arrangements which will serve to strengthen existing financial arrangements, whereby independent producers with reasonable budgets and reasonable projects will be enabled to carry on.

J. Arthur Rank's statement last week on his return from America that American producers have some 28 methods of utilizing so-called unremittable balances created by the agreement provoked widespread newspaper criticism here of the whole agreement.

Reviews

"Heart of Virginia"

(*Republic*)

THIS is the story of a race horse and the efforts of its owners and trainers to have their entry win an important race. The racing scenes are thrilling. Janet Martin is the owner of "Virginia's Pride," a horse with a good chance to win the big event, Robert Lowery is a racing stable owner and Sam McDaniel gives an amusing performance as "Sunflower," the stable boy.

The horse has a succession of mishaps, including a threat of pneumonia, straining a ligament and problems with the jockey, played by Frankie Darro. The jockey lost his nerve in one race but the girl wants to give him another chance. He mistakes her interest for love and when the girl and Robert Lowery announce their engagement on the eve of the big race, the jockey feels unable to ride again. However, he pulls himself together and realizes that his life is racing and, of course, he wins the race. Sidney Picker was associate producer, R. G. Springsteen directed, and Jerry Sackheim wrote the original.

Running time, 60 minutes. General audience classification. Release date, April 25.

"I Wouldn't Be in Your Shoes"

(*Monogram*)

Hollywood, May 2

SOMEBODY connected with the writing of this little number—maybe novelist Cornell Woolrich, possibly scenarist Steve Fisher, producer Walter Mirisch or director William Nigh—conceived a pretty slick gimmick that almost puts the picture in the "sleeper" class. The gimmick consists of dredging up a secondary case of circumstantial evidence which has the effect of nullifying the primary case, on which a man has been convicted of murder, and preparing the observer for a bang-up surprise ending. Unfortunately, after having done all this, the production settles for a fast and altogether ordinary ending and the gimmick goes for nothing.

Don Castle, Elyse Knox and Regis Toomey are the names with which a showman may attract attention to the production. Castle is cast as a "hoofer" out of work, Miss Knox as his wife, and Toomey as a detective. After Castle's tap shoes are used to incriminate him in a series of incidents connected with a murder, and after Castle is convicted by circumstantial evidence, the detective digs up a secondary suspect who looks quite as guilty as Castle, but it finally turns out that the detective did the killing as a means of obtaining money with which to woo Castle's wife.

Running time, 70 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

J. Jules Benedic Dies in Illinois

KANSAS CITY, May 2.—J. Jules Benedic, who was associated with King Enterprises, died Thursday at Christopher, Ill. Funeral services will be held here this week. Benedic was with *Boxoffice* for several years. He was a member of the Kansas City unit of Motion Picture Foundation and a member of the Des Moines Variety Club.

Raymond Wallace, 55

CLEVELAND, May 2.—Raymond Wallace, 55, who last week sold his interest in all four theatres in Alliance to Marsch Theatres of Cleveland, died Friday of peritonitis. Last year he celebrated his 40th year in show business. The widow and a son survive.

Lapinere Promoted

Elias Lapinere has been appointed RKO Radio Continental sales manager in Paris by Phil Reisman, vice-president in charge of foreign distribution. Lapinere, who has been RKO Radio publicity director for Europe, will continue to supervise advertising and publicity.

Marx in Cowan Film

HOLLYWOOD, May 2. — Lester Cowan will star Groucho Marx in an untitled comedy with a Honolulu background in consequence of the comedian's performance on his radio quiz program. Release is undetermined.

TOA Drive

(*Continued from page* 1)

atres. Comprehensive reports on forthcoming Hollywood product considered to be of exceptional merit also have been prepared and distributed.

All such material, Gamble said, is being used in newspapers, magazines, on the radio and on theatre screens and stages. He read lists of publications across the country which already have made use of the material. In addition, hundreds of local exhibitors participating in the campaign have directed theatre managers to address audiences from the stage between shows, daily, acquainting them with outstanding product to be exhibited in the coming months. Many other theatres will use trailers on the subject.

Exhibitors also are placing the material with their local newspaper and radio stations, are using it in speeches before local civic and luncheon clubs and are amplifying the program with material and activities adapted to individual localities.

Gamble and Robert W. Coyne, executive director of TOA, emphasized that the public relations campaign is "not a TOA membership drive" and needs the cooperation of all exhibitors on the local level, regardless of organizational lines.

Two New Video Permits

WASHINGTON, May 2. — The Federal Communications Commission has approved television stations for the Sunshine Television Corp., St. Petersburg, Fla., and The Voice of Alabama, Inc., Birmingham.

Kansas City Youth Ask Study of Films

KANSAS CITY, May 2. — Recommendations for setting up a study group to investigate motion pictures, press and radio for a better understanding of their techniques were adopted at the closing session of the Mayor's Youth Conference.

The Conference's recommendations were understood to open the way for a study of commercial motion pictures for a fuller appreciation of the industry's achievements by the public.

Urges Aid

(*Continued from page* 1)

participation in the program, which is largely sponsored by U. S. Attorney General Tom Clark.

Highlights of the program formulated to date include the placing of theatres at the disposal of local organizations engaged in the prevention of juvenile delinquency for meetings, conferences, studies and programs; the preparation and exhibition of an instruction film showing such organizations' effective methods of planning and executing their activities, and full cooperation in "Youth Month" programs..

In appealing for the cooperation of all theatres in the program, Skouras pointed out that for those exhibitors who might not be convinced that the prevention of juvenile delinquency is vital to their community and the nation, there is still the selfish consideration that they will be helping to reduce actual or potential damage to their own property by juvenile vandals.

"The program cannot be a complete success," Skouras said, without the participation of exhibitors in every community."

A two-reel training film, designed to instruct on a community level, groups dedicated to combating juvenile delinquency, is now being produced by the This Is America unit of RKO Radio. Theatres will make it possible for the groups to view the film and in thus supporting the Department of Justice's drive against juvenile delinquency will offset charges that theatres and motion pictures in general have contributed to youth crime.

Bidding Linked

(*Continued from page* 1)

publicity for motion pictures and the industry, together with the work that Theatre Owners of America is undertaking to counteract it.

"I do not believe that pictures are of poorer quality than in other years," Skouras said. "But there is less advertising and publicity originated by theatres for current films since competitive bidding, because theatres do not know sufficiently far in advance to prepare the maximum campaigns, what films they will be playing."

Skouras indicated that is one recommendation for TOA's current program of public relations, a phase of which is the publicizing and stimulation of audience interest in the better product of all companies, by theatres which may not buy or exhibit all such product.

Skouras paid unqualified tribute to the industry press, asserting that it is the only effective medium for getting a message to the "grass roots" exhibitors who "because they read the trade press so thoroughly are frequently better informed about the industry and its product than anyone would believe."

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 86 NEW YORK, U. S. A., TUESDAY, MAY 4, 1948 TEN CENTS

HIGH COURT FAILS TO RULE ON DIVORCEMENT

Howard Hughes Acquires RKO Control from Atlas

Howard Hughes has concluded negotiations with Floyd B. Odlum, head of Atlas Corp., for purchase of the latter's 929,020 shares of RKO common stock, which gives the producer effective control of RKO.

Hughes is reliably reported to have given assurances that N. Peter Rathvon will continue as RKO president and Dore Schary as vice-president in charge of production. Hughes plans to take an active interest in RKO affairs himself but it is doubtful whether he will become an officer of the company.

Purchase price of the Atlas stock was not disclosed but at current market prices it has a value of more than $9,000,000, so obviously something in the neighborhood of that figure is involved.

According to reliable reports the agreement between Hughes and Odlum was reached last Friday. Odlum yesterday issued a statement confirming that a "tentative agreement" had been reached, adding, "When and if this tentative deal becomes firm and definite a further statement will be made."

Odlum's reference to the deal as being "tentative" was unexplained but it is assumed that it has yet to be approved by the Atlas board of directors. The board is scheduled to meet Wednesday or Thursday and may be expected to act on the deal then.

Hughes has been negotiating with Odlum for the Atlas holdings of RKO stock for a number of months, during which time the deal has been variously reported as closed or "off." About three weeks ago, after more than a month of continuous negotiations, Odlum issued a statement to the effect that the conversations between himself and Hughes had been terminated "without agreement," and added that "no other negotiations are pending."

Loyd Wright, attorney for Hughes in the negotiations, was asked by MOTION PICTURE DAILY at that time whether there were any prospects of the negotiations being resumed.

"Anything can happen in this business," Wright replied.

The bulk of Atlas Corporation's RKO holdings were acquired during the 77-B reorganization of RKO in 1933 to 1940, although the investment company added to its holdings by considerable purchases following the reorganization. For several years past

(*Continued on page* 11)

Supreme Court Holds Both Griffith, Schine Guilty

WASHINGTON, May 3.—The Supreme Court ruled today that the Griffith Theatre interests of Texas, New Mexico and Oklahoma were guilty of a conspiracy to violate the anti-trust laws.

It sent the case back to the District Court for the Western District of Oklahoma for further findings as to how greatly the monopoly power of the chain had affected its growth and for "fashioning of a decree which will undo as near as may be the wrongs that were done and prevent their recurrence in the future."

By a six to one majority the court reversed the ruling of the Oklahoma court, which found no violation of the anti-trust laws and dismissed the com-

(*Continued on page* 10)

WASHINGTON, May 3.—The Supreme Court today ordered the U. S. District Court at Buffalo to make further findings and enter a new decree on how the Schine Theatre Chain should be broken up.

In a 7-to-0 decision, the court upheld the broad outlines of the Government's anti-trust case against the New York and Ohio chain, although it did set aside the District Court findings on divestiture and several other points.

All indications were that the high court wanted the lower court to make a complete re-examination of the divestiture question. It said the District Court must make findings on exactly which theatres had been gained as a result of Schine's conspiracy with

(*Continued on page* 10)

Returns Case to New York Court for Further Findings on Theatre 'Monopoly' of Big 5; Kills Competitive Bidding, Price-Fixing

WASHINGTON, May 3.—The United States Supreme Court today handed down its long-awaited decision in the Paramount case, but neatly side-stepped a ruling on what should happen to the theatre holdings of the five major companies.

Instead, it sent the matter back to the New York District Court for further findings on the extent to which the five major theatre-owning defendants monopolized exhibition, especially in the first-run field, and for fashioning of a more effective decree to carry out whatever findings which the District Court might make. All indications are that various implications in the court's opinion give the Government the whip-hand in the new lower court proceedings.

Highlights of High Court's Decision

Washington, May 3.—Highlights of the Supreme Court decision in the U. S. vs. Paramount case handed down today follow:

The New York court was directed to hold new hearings on theatre divorcement to examine the legality or illegality of theatre acquisitions and their uses, and to prepare a new decree.

Competitive bidding was abolished by the court and, since it was an alternative to divorcement, the New York court was directed to determine whether a ban on cross-licensing should be instituted as a "short-range" remedy.

Prohibition against theatre expansion by the major companies were removed pending issuance of a new court decree in New York.

Voluntary arbitration for the industry was endorsed by the high court, which asked the New York court to set up the system and the rules for it for those who subscribe to it.

The New York court was upheld in all of its restraints upon trade practices, including fixing of minimum admission prices (road shows), unreasonable clearances, master agreements and formula deals, block booking and pooling arrangements.

Other sections of the court's decree threw out the competitive bidding system, left to the District Court the establishment of some sort of voluntary arbitration system, and upheld the District Court's ban on various distributor trade practices, including minimum-admission price-fixing, unreasonable clearances, master agreements and formula deals, block booking, pooling agreements and certain types of joint ownership.

The high court's decision was by a seven to one vote, with Justice Douglas delivering the majority opinion and Justice Frankfurter dissenting. Justice Jackson did not participate.

Lower Court Findings 'Obscure'

Douglas characterized as "obscure" and "deficient" various findings of the lower court on the question of an exhibition monopoly by the theatre-owning defendants. He pointed out that the lower court had found no monopoly on any phase of the case, although it did find an attempt to monopolize through the distributor practices it enjoined. It therefore had concluded, Douglas said, that divestiture was unnecessary until competitive bidding had been tried and found wanting.

But, he continued, it is clear that so far as the five majors are concerned the aim of the conspiracy was designed to strengthen their hold on the exhibition field. Therefore, it was not enough in determining the need for divestiture, to conclude with the District Court that none of the defendants was organized or has been maintained for the purpose of achieving a national monopoly, nor that the five majors through their present theatre holdings "alone" do not and cannot collectively or individually have a monopoly of exhibition. "For when the starting point is a conspiracy to

(*Continued on page* 8)

Charges Free-shows Are 'Snowballing'

HOLLYWOOD, May 3.—The growing practice of showing free films in hotels, bars, and even groceries is snowballing into an acute problem directly biting into legitimate film income unless production, distribution, and exhibition leaders get together to formulate protective measures, Harry Popkin, head of Cardinal Pictures and owner of 30 theatres on the West Coast, declares here.

While the practice of free showings in bars is not any real problem to the theatre box office, nevertheless it is the beachhead for a policy which, as it becomes more widely adopted, will really hurt business, Popkin said, adding:

"Most of the big metropolitan stores now have or are planning on putting in small auditoriums in which free entertainment, mostly films, will be provided for shoppers.

"One hotel chain now advertises free movies in each of its hotels, which is putting a direct drain on entertainment enterprises. Most of the films are 16mm. but that does not change the situation any because they are keeping patrons out of theatres just the same."

The producer-exhibitor said, "the industry has absolutely no over-all policy of any kind in the face of this situation."

WB District Heads Meet Here May 6-7

A meeting of district managers will be held at the Warner home office here Thursday and Friday by Ben Kalmenson, the companys' distribution head.

District managers attending will be F. D. (Dinty) Moore, Sam Lefkowitz, Robert Smeltzer, Charles Rich, Harry A. Seed, Hall Walsh, John F. Kirby, Doak Roberts, Henry M. Herbel, Haskell M. Masters. Home office executives present will be Mort Blumenstock, Jules Lapidus, Norman Ayres, Roy Haines, Norman H. Moray, Ed Hinchy, Mike Dolid and Bernard R. Goodman.

Denies 'Curtain' Libels

New York attorney Sidney Schreiberg, who had requested a private screening of "The Iron Curtain" to determine whether his clients, James S. Benning, Eric Adams and Dr. David Shugar are libeled therein, will have to wait until the picture is shown publicly before he can view it, he reported here yesterday. He said 20th Century-Fox replied to his request with the assertion that Benning, Adams and Shugar, who were acquitted last year in the Canadian espionage case, are not libeled in the picture.

Martin Printz Retires

CLEVELAND, May 3.—Martin Printz, active in theatres here since 1908, has sold his interests in the Alhambra and is retiring to live in Los Angeles. Local industry members gave him a farewell dinner tonight.

Personal Mention

JOCK LAWRENCE, vice-president of the J. Arthur Rank Organization here, will enter Presbyterian Hospital in New York today for minor surgery.

•

HARRY SWITOW of the Switow Amusement Co., Louisville, has become a grandfather, his daughter, MRS. GEORGE FREHLING, having given birth to a daughter. The Frehlings are in the theatre and hotel business in Bluefield, W. Va.

•

TONY HUNTING, Walter Reade Theatres city manager in Red Bank, N. J., has been renominated for another three-year term as councilman in Fair Haven, N. J. He celebrated his 25th anniversary as councilman last winter.

•

CHARLES BURRIS, manager of the Telenews Theatre, Cleveland, for the past seven years, has been promoted to the New York office as general sales and advertising manager of the Telenews Newsreel.

•

JAMES LOEB has been appointed to the staff of the concessions department of Walter Reade Theatres here. A former Navy flier, LOEB will also be a second pilot for the company's airline, the other being WALTER READE, JR.

•

EDWARD M. SCHNITZER, UA Eastern and Canadian division manager, left New York yesterday on a one-week tour, to hold meetings in Toronto and Detroit.

•

JACK SHARE, former owner of the Cedar and Quincy theatres, Cleveland, is entering another business at Winter Park, Fla., with his former theatre partner, OSCAR BLOOM.

•

EDWARD HARRISON, former manager of the Court Square Theatre, Springfield, Mass., has become manager for the new Sundown Auto Theatre, Westfield, Mass.

•

KENNETH KENNEDY, Eagle-Lion booker in New Orleans, has been promoted to salesman, with KENNETH RUSSELL succeeding him as booker.

•

MITCHELL WOLFSON and SIDNEY MEYER, partners in Wometco Theatres of Miami are New York visitors.

•

C. J. KREMER, owner of the Rialto Theatre, Stanton, Neb., will observe his 30th year in the film business on June 15.

•

CHARLES MCLEARY, manager of the Parkway Theatre, Baltimore, returned to his post yesterday after an illness.

•

LEROY KENDIS of Associated Theatres Circuit, Cleveland, is in Mt. Sinai Hospital in that city following an operation.

•

LESTER ZUCKER, Universal-International branch manager in Cleveland, and MRS. ZUCKER are vacationing at Asheville, N. C.

R. A. MCNEIL, former Golden State Theatres partner, will return to New York on May 17 from Buenos Aires.

•

ALICE LICHTENSTEIN, research librarian of the Congressional Aviation Policy Board and formerly executive secretary of the United Nations Central Training Film Library in Washington, has joined the staff of Louis de Rochemont Associates here.

•

ADELE HARRIS, daughter of TED HARRIS, managing director of the State Theatre, Hartford, and MRS. HARRIS, has become engaged to VICTOR FEINGOLD, also of that city.

•

SAM LAKE, Selznick Releasing Organization sales representative in New York, and THELMA BENDER of this city will be married here on Sunday.

•

FRANK N. PHELPS, head of the Warner labor relations department, has become a grandfather for the fourth time.

•

WILLIAM B. ZOELLNER, M-G-M short subject sales manager, left here yesterday for a three-week tour of the South and Southwest.

•

ED HATRICK, general manager of WILLIAM RANDOLPH HEARST'S film interests, left the Coast yesterday for his New York headquarters.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, left here yesterday for Dallas.

•

ROLAND J. MCLEOD has been elected president of Local No. 277, Motion Picture Machine Operators, Bridgeport.

•

RUTH J. SMELTER, advertising manager of the Strand Amusement Co., Bridgeport, has returned to her desk after an illness.

•

RUDY BERGER, M-G-M Southern sales manager, was in Beaumont, Tex., yesterday, from New York.

•

ROBERT NATHAN, M-G-M writer, left the Coast yesterday for New York.

•

LOU J. KAUFMAN, Warner theatre executive, has left here for Cleveland and Pittsburgh.

•

LES PLOTTEL, Empire-Universal Films branch manager at Vancouver, has retired.

•

RODNEY COLLIER, manager of the Stanley Theatre, Baltimore, is confined to his home by illness.

•

G. W. TAIFT, Monogram branch manager in Omaha, has resigned to join Paramount in Kansas City.

•

JOHN K. HILLIARD, Altec Lansing chief engineer, is in town from the Coast.

•

C. P. COHEN, owner of the Dixie Theatre, Key West, Fla., has taken over the Royal in Panama City, Fla.

Flood Damage Fails To Delay WB Pathe

Warner Pathe News operated on schedule yesterday despite disruption in telephone and electric service caused by water from a broken water main that flooded the basement of the Pathe Building at 625 Madison Ave. The newsreel established emergency offices in the Madison Hotel across the street. Fire and police officials cooperated to enable the current issue of the reel to appear on time.

The flood caused damage estimated at $500,000.

H. Matcher Disappears

BALTIMORE, May 3. — A search is under way for Henry D. Matcher, general manager of the Rivoli and Embassy theatres here, following his disappearance last Wednesday. He has been with the same firm for over 25 years. Authorities are trying to determine if he is the man who vanished earlier in the week from a stateroom of the *S.S. City of Richmond* while enroute from Baltimore to Virginia.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer TRACY · Katharine HEPBURN · Van JOHNSON
Angela LANSBURY · Adolphe MENJOU · Lewis STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS.
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

BETTE DAVIS
IN WARNER BROS. NEW SUCCESS
"WINTER MEETING"
with JANIS PAIGE · JAMES DAVIS
DIRECTED BY BRETAIGNE WINDUST · PRODUCED BY HENRY BLANKE
WARNER THEATRE
B'way 51st · Opens 10.30 AM · Late Midnight Film

DENNIS MORGAN
VIVECA LINDFORS
"TO THE VICTOR"
IN PERSON CAB CALLOWAY AND HIS MUSICAL JUBILEE
PLUS DEEP RIVER BOYS
EXTRA PEARL BAILEY
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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May Fine Ad Code Breach Up to $25,000

A penalty clause requiring payment to the Motion Picture Association of America of as much as $25,000 by a member company for a violation has been included in the regulations for administering the MPAA Advertising Code, the association disclosed here yesterday.

The new penalty clause has been inserted in the regulations as an alternative to the prevailing clause which empowers the MPAA board to direct the Production Code Administration to void and revoke its PCA Certificate of Approval granted to a picture whose advertising has been unapproved.

Under the new clause the board may "require the company, if a member of the association, to pay to the association as and for liquidated damages, not more than $100 for each publication, lease, sale or use of an unapproved item of advertising which has been published, made available for lease or sale or used, provided, however, that the total sum assessed for advertising relative to one motion picture may not exceed $25,000."

It is stipulated further that the amount so assessed and collected shall be used by the association for expenses incurred in the administration of the Advertising Code. It is recognized that any violation of the Advertising Code will disrupt the stability of the industry and cause serious dam-

(Continued on page 4)

Para. Stockholders Reassured on Films

Paramount's current annual report to stockholders devotes a leading page to a message refuting recent and current published reports of "panicky retrenchment in Hollywood and a decline in the quality" of forthcoming product.

As part of its industry public relations campaign, Theatre Owners of America has urged all companies to give such messages to their stockholders. It is understood that other companies already have or will in-

(Continued on page 4)

20th-Fox Files for Seattle Video Unit

SEATTLE, May 3.—Plans of 20th-Fox to establish a radio and television station in Seattle within eight months were disclosed here yesterday. The firm has filed articles of incorporation for 20th Century-Fox of Washington in Olympia. Capitalization is $1,000,000.

Frank Newman, Sr., president of Evergreen State Theatres here, said the station will televise programs locally and later will be linked in a network with Eastern and California stations.

In addition to Newman, incorporators are Spyros Skouras, 20th-Fox president, and Harry B. Davis, Charles N. Calwell and David A. Jackman, all of New York.

Company Policies Target Of N. E. Owners Today

BOSTON, May 3.—Vigorous and critical discussion of current picture quality and major company sales policies, profits, and "executive salaries" will feature the opening business session tomorrow of the Independent Exhibitors of New England's 20th anniversary convention at the Hotel Sommerset here.

Nathan Yamins, Irving Dollinger and Julian Rifkin, with Arthur Howard as moderator, are slated to conduct the discussion and the ensuing open forum will be followed by James Mahoney of the Interstate Circuit, speaking on physical operation of theatres, and Art Moger of Warners, who will discuss public relations.

Exhibitors began registering this evening and were guests at a reception tendered by Variety Club Tent No. 23 at Hotel Statler headquarters.

Tomorrow morning they will review the equipment exposition accompanying the convention. Among the participants are the National, Capitol, Hollywood, and Massachusetts service companies, Manley Popcorn, Heywood Wakefield, Kendall Confectionery, Kelling Nuts, and Ho-Maid Ice Cream.

Speakers on Wednesday, the final day, will be David Palfreyman, Mo-

(Continued on page 4)

Johnston to France On New Accord Bid

Motion Picture Association of America president Eric A. Johnston told a meeting of the film companies' foreign managers here yesterday that he plans to visit France "at a propitious time" to examine at first hand the conditions which have inspired the French government to call for renegotiation of the Blum-Byrnes accord and to confer with French officials on the matter.

Consensus at yesterday's meeting, called specifically to discuss the French request for renegotiation, was that a "treaty between two governments is a solemn act and that this matter should be further explored," the MPAA reported.

Technicolor Quarter Net Was $402,750

HOLLYWOOD, May 3.—Technicolor's consolidated net profit for the quarter ended March 31 is estimated to be $402,750, Dr. Herbert T. Kalmus, company president, announces.

Figure is equivalent to earnings of 44 cents per share, which compares with 28 cents for the corresponding period of 1947.

TOA Says Sullivan Won't Get $50,000

Los Angeles, May 3.—Calming some ruffled tempers hereabouts, official notifications have been received from Theatre Owners of America New York headquarters that the reports that Gael Sullivan would receive $50,000 annually as executive director of TOA were in error. Local TOA members would not disclose the exact salary figure but indicated it was a double error.

It is understood TOA sent similar notifications to all affiliated regionals.

Most New York 1st Runs Get Moderate Grosses This Week

With the exception of three or four pictures which are grossing quite impressively, business is more or less moderate at Broadway first-runs. Holdovers predominate.

"Homecoming," together with Xavier Cugat's orchestra on stage, bowed in big at the Capitol, where an estimated $124,000 is due for the first week. Also opening strongly was "Casbah," which is expected to bring the Criterion a tidy $30,000 in its initial seven days.

"State of the Union" continues to perform solidly in its second week at Radio City Music Hall, where a Russell Markert show is on stage; $130,000 is expected on the basis of $82,000 grossed on Thursday through Sunday. At the Globe, "Arch of Triumph" is also firm, with a solid $45,000 expected

(Continued on page 11)

L. R. Case Is Named Treasurer of SRO

Leonard R. Case has been appointed treasurer of the Selznick Releasing Organization by the company's board of directors, Neil F. Agnew, SRO president, reported here yesterday. Case was formerly assistant treasurer.

Agnew also announced that henceforth the finances of SRO will be handled entirely separate and distinct from the finances of Vanguard Films, Selznick producing company. Case will have full authority in all SRO financial matters, subject to the board.

Studio Employment in Hollywood Hit New Low, California Reports

Hollywood, May 3.—Employment in studios, continuing a downward trend which set in last fall following inception of the British tax, hit a new low for modern times in March, according to California Bureau of Labor Statistics, which uses 1940 as a basis for its 100-per-cent index figure. Current report shows the March index down to 77.3, from February's 79; March, 1947, was 97.8 average. Weekly earnings dropped in March to $95.55, from February's $100.74.

Wm. Goldman Award Upheld By High Court

WASHINGTON, May 3.—The Supreme Court today refused to review a lower court decision upholding a treble damage anti-trust suit by William Goldman Theatre, Inc., of Philadelphia, against major distributors.

The high court's action has the effect of upholding the award of $375,000 to Goldman Theatres as damages resulting from a conspiracy by the majors to monopolize the first-run exhibition of pictures in Philadelphia, and from the refusal of the distributors to license films for first-run showing to the Erlanger Theatre, one of Goldman's houses.

The high court also in effect upheld the lower court's injunction that before licensing any film to any other defendants each distributor-defendant must give Goldman Theatres an equal opportunity to negotiate for first-run showings.

Companies involved are Loew's, Paramount, RKO Radio, 20th Century-Fox, Columbia, Universal, United Artists and Warner Brothers, plus various Warner subsidiaries.

Refuses to Review Carpenters' Case

WASHINGTON, May 3.—The Supreme Court today refused to review a lower court decision throwing out a case brought by 16 members of the AFL carpenters union against the IATSE and Hollywood studios.

The carpenters charged that they were deprived of work described as rightfully belonging to them as a result of an alleged conspiracy between the IATSE and the studios. They asked the court to rule that the work belonged to them.

Lower courts threw out the case on the ground that Federal courts were merely being asked to interpret a collective bargaining agreement and lacked jurisdiction to do so.

Thomas Still Won't Name Those Pictures

WASHINGTON, May 3.—The question of which Hollywood motion pictures have been subverted with Communist-inspired propaganda remains unanswered, despite attempts by attorneys for screen writer Dalton Trumbo to elicit this information from Rep. J. Parnell Thomas.

This was revealed today when counsel Charles Houston tried to introduce the deposition taken from the ailing head of the House Un-American Activities Committee as evidence that the committee had no right to inquire into Trumbo's membership in the Screen Writers' Guild or his alleged membership in the Communist Party. He is charged with refusing to answer these questions during the committee's probe of Hollywood communism.

Although Justice David A. Pine de-

(Continued on page 4)

65¢ of Box-office Dollar Kept Locally

HAMILTON, O., May 3.—"Sixty-five cents of every box-office dollar remains in the community," declared Nat Turberg, Northio city manager, in reporting results of a survey by a committee appointed by local exhibitors to analyze the current financial structure of the industry.

A further breakdown of the dollar showed that 16 cents goes to payroll and staff, 20 cents to real estate taxes and rentals and 29 cents to operating costs, such as supplies and advertising, Turberg said as committee spokesman.

Of the 35 cents remaining, 25 cents goes to the studio for production and 10 cents to the cost of sales, distribution and national advertising.

The survey was made in an effort to ascertain the truth behind widespread rumors of "a hysterical Hollywood retrenchment policy, Turberg explained.

Ga. MPTO Opens Its First Annual Meet

ATLANTA, May 3.—First annual convention of the Motion Picture Theatre Owners and Operators of Georgia got under way here today in the Henry Grady Hotel. Welcoming address was made by Mayor William B. Hartsfield. Presiding at the business sessions is J. H. Thompson, president of the organization.

Principal speakers at the opening session of the two-day meeting were Ted Gamble, Theatre Owners of America president, whose topic was "Our Industry's Future," and Robert W. Coyne, retiring executive director of the TOA, who discussed activities of the TOA.

UA's 'Bobby' Dubow Succumbs in London

Sidney (Bobby) Dubow, 51, general sales manager for United Artists in Great Britain, died yesterday in London of a heart attack, according to cable advices received in the company's New York office.

Dubow joined UA as a salesman in London in 1934 and earned successive promotions as branch manager, branch supervisor and general sales manager. Surviving is the widow.

Ethel Burfeind

Ethel Burfeind, cashier at the Capitol Theatre here, died at Manhattan General Hospital at the weekend after a short illness. She had been associated with the house since its construction 28 years ago. Surviving are three sisters and two brothers.

Dore Schary's Mother, 73

HOLLYWOOD, May 3.—Mrs. Belle Schary, mother of Dore Schary, executive vice president in charge of production at RKO Radio, died yesterday at her home here after a long illness. She was 73.

Owners Fete City Heads

CLEVELAND, May 3.—Cleveland Motion Picture Exhibitors Association will have Mayor Thomas A. Burke, members of the city council and leading judges as guests at a luncheon-meeting on Thursday.

Review

"Silver River"

(*Warner Brothers*)

Hollywood, May 3

A ROUSING melodrama of the Nevada silver mine country (1865-1882), "Silver River" restores Errol Flynn to the tougher category of starring roles in which he has made the most money for exhibitors, and gives him Ann Sheridan and Thomas Mitchell to go along through the brash and rugged incidents which occupy a large and competent cast. It is the likeliest looking piece of box-office product from the Flynn corner in a long while, and he makes the most of it every inch of the way. Brisk business is to be expected if past performance of product in kind repeats.

Owen Crump produced the picture and Raoul Walsh directed, from a screenplay by Stephen Longstreet and Harriet Frank, Jr., based on a novel by the former concerning the silver barons who figured so flambuoyantly in the history of the West. Flynn plays a Union soldier cashiered from the Army after Gettysburg for burning up $1,000,000 in currency to keep the Confederate Army from getting it. Feeling unjustly treated, he abandons all principles and sets out to take what he wants from the world. He is fantastically successful in piling up money, by various sharp practices including cards and land grabs, but is stymied in his conquest of Miss Sheridan by the fact that she is married to a nice guy whom she loves. Mitchell plays a drunken lawyer who sobers up to join the Flynn organization and goes along with the latter until he knowingly permits Miss Sheridan's husband to ride to his death in the Indian country. After that Mitchell reappears periodically to denounce Flynn, but eventually Flynn and Miss Sheridan marry and he becomes key man in the silver mining empire. Many an exciting clash of forces, financial as well as physical, occur before Flynn, finally broke, and Miss Sheridan ride out of the picture still happily wed and yet still committed to Flynn's policy of making his own rules as he goes along. There could be a feeling in some audience quarters that a bit of reformation on Flynn's part would have been a natural consequence of his experience, but the picture is nonetheless a vigorous and entertaining piece of goods.

Running time, 108 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

New England Meet

(*Continued from page 3*)

tion Picture Association of America, on taxes; Samuel Lowe, Jr., on candy merchandising; E. P. Genock, of DuMont, on television.

Abram Myers, Allied general counsel, also addressed the meeting. Among those attending is William L. Ainsworth, Allied president. From here they will attend the Allied of Iowa-Nebraska meeting May 10-11 in Des Moines and the Allied of Kansas-Missouri convention in Kansas City May 12-13, en route to the Allied board meeting in Denver, May 15-17.

Dorothy Lamour and Paul Lukas will appear at Wednesday night's banquet. Lew Lehr will be master-of-ceremonies, and Bill Cunningham, New England columnist, the chief speaker.

Ad Code Clause

(*Continued from page 3*)

age to the association and its members which cannot be definitely computed.

Also newly included in the regulations for administering the Code is a definite method whereby a company may appeal from a decision of the Advertising Code Administration to MPAA president Eric A. Johnston or, in his absence from the country or inability to act, a board comprising three members of the association's directorate. Any company whose advertising has been disapproved may appeal from the decision within 10 days after such disapproval by serving notice of appeal in writing with the ad code director and the association's secretary. The decision, whether it shall be made by the MPAA president or the appeal board of directors, shall be final, the clause states.

Thomas Won't Name

(*Continued from page 3*)

clared there was nothing in the deposition relevant to the pertinency of the questions, Thomas declined to say whether he had ever seen any subversive material in any pictures in which the 10 defendants participated, and did not cite any subversive scenes in response to questioning.

Judge Pine ruled both questions pertinent.

Lewis Deschler, parliamentarian of the House of Representatives, testified that it was the custom for committee chairmen to name sub-committees in the absence of committee authorization, thus damaging defense contentions that the hearings were illegal.

The transcript of Trumbo's testimony at the hearings was read to the jury by Assistant U. S. Attorney William Hitz, while committee member John McDowell was on the stand.

M-G-M production executive Louis B. Mayer, who was in court today, probably will be put on the stand by the defense tomorrow.

Nationwide DST Out In Current Congress

WASHINGTON, May 3.—There is no chance of the current Congress adopting a pending bill to require nationwide daylight saving time, according to Capitol Hill observers. The Senate Interstate and Foreign Commerce Committee may report out the bill, they say, but it stands a slim chance in the Senate and would certainly die in the House if it got that far.

To Film Wanderer Crime

HOLLYWOOD, May 3.—Howard Emmett Rogers and Lee Brooks have returned from Chicago where they cleared the rights to the court case of Carl Wanderer, whose crime will be the basis of the Rogers-Brooks story, "Chicago Episode."

Week for Briefs in Loew Minority Suit

A week's time for the presentation of briefs was granted by Judge Louis A. Valente here yesterday when Loew's proposal that minority stockholders settle their suits against the company and the People's Candy Co. over operation of the circuit's candy concessions came up for hearing in New York State Supreme Court.

A. L. Pomerantz, counsel for the plaintiffs, told the court that his clients approved of the proposed settlement, which he termed "eminently fair."

To correct contracts made with People's Candy, the circuit offered to change the agreements to make the candy company pay Loew's subsidiaries about $161,000 more for the year which ended last Dec. 31.

Loew's answered the charge that it should have deducted as a corporate expense for income tax purposes Nicholas M. Schenck's alleged profit on the exercise of options on the company's stock by offering to have Schenck grant it a one-year option to acquire from him 10,000 shares of Loew's stock at $13.33 per share.

Balaban Makes Phila. UJA Appeal for Funds

PHILADELPHIA, May 3.—Barney Balaban, national chairman of the amusement division of the United Jewish Appeal, tonight made an appeal for funds at a dinner of the Allied Jewish Appeal at the Hotel Warwick here. Some 100 leaders of the local industry were present.

Abe Ellis received a scroll for his work last year as co-chairman of the theatrical division in Philadelphia, the presentation being made by Jay Emanuel. Ellis and David Milgrim will serve as co-chairmen of the division here this year.

Paramount Reopens Branch in Portland

SEATTLE, May 3.—Paramount reopened its office in Portland today, with Wayne Thiriot, formerly a salesman at Salt Lake City, as branch manager. Thiriot left yesterday for Portland after conferences here with Henry Haustein, Seattle branch manager.

Para. Stockholders

(*Continued from page 3*)

clude such information in their annual reports.

The Paramount message to stockholders is entitled "The State of the Nation's Movies." It reports that production "throughout the industry" is moving along at a normal or accelerated pace; that over-all picture quality is as high as ever but that "certain sections of the press" have magnified the number and importance of disappointing productions; that theatre attendance totals are "only a fraction under the peak year of 1946," and that no essential ingredient of high calibre entertainment is being sacrificed at the studios.

$250,000 Meriden House

HARTFORD, May 3.—Nick Kounaris, Paul Tolis, and George Ulyssis of New Britain, have been granted permission by the Meriden zoning board of appeals to construct a 1,000-seat theatre and store building in Meriden, to cost about $250,000.

"RED RIVER"

is ready!

After two years United Artists has received and screened Howard Hawks' "Red River".

Soon United Artists' home office representatives will be in the field to screen the picture for you and tell you of our plans.

We sincerely believe—and we feel you will agree after seeing it—that "Red River" will take its place in motion picture history beside such epics as "The Covered Wagon" and "Cimarron".

The TRADE CRITICS say...

ANOTHER PART

IS

ANOTHER HIT

VARIETY:

"'Another Part of the Forest' is sparked with list of top names headed by Fredric March who make this a field day for superb characterization, and from a production standpoint film is outstanding on all counts. *It's a cinch to clean up,* the type of film audiences will leave theatre talking about it. Never a dull moment!"

FILM DAILY:

"Striking dramatic pattern of the Lillian Hellman play has been translated into a powerful film drama superbly performed. The picture should easily occupy *long-time space on hold-over lists."*

SHOWMEN'S TRADE REVIEW:

"On the strength of its dramatic entertainment values as well as its marquee names and the importance of the Lillian Hellman name, 'Another Part of the Forest' *should do excellent business."*

EXHIBITOR:

"The picturization of the play by Lillian Hellman should cash in on its popularity, backed by the star calibre of the cast. The appeal should manifest itself in *any situation."*

OF THE FOREST

'rom U-I

BOXOFFICE:

"The story has *tremendous emotional impact,* forcefully portrayed by an outstanding name cast. Fredric March is superb!"

MOTION PICTURE DAILY:

"Brilliant production and performances characterize this picturization of Lillian Hellman's stage success. *A marquee magnetism cast* presupposes strong opening business."

Order New Hearing on Divorcement

Expansion Ban Is Lifted for The Time Being

(*Continued from page* 1)

effect a monopoly through restraints of trade," he said, "it is relevant to determine what the results of the conspiracy were even if they fell short of monopoly."

Douglas said the District Court must not only enjoin continuance of the unlawful restraints and dissolve the combination which launched the conspiracy, but must undo what the conspiracy achieved.

Stresses 'First-run Phase'

Douglas said the lower court's findings were "deficient" on the effect of the conspiracy in theatre ownership by the five majors. "It is the relationship of the unreasonable restraints of trade to the position of the defendants in the exhibition field—and more particularly in the first-run phase of that business—that is of first importance on the divestiture phase of these cases," Douglas stated. "That is the position we have taken." He said the court had taken that position in the Schine case and the independents and affiliated circuits must be treated the same, "for the fruits of the conspiracy which are denied the independents must also be denied the five majors."

The decision pointed out that there was a "suggestion" that the five majors had divided up first-run exhibition on a geographical basis, and said this was mentioned only "to indicate the appropriate extent of the inquiry concerning the effect of the conspiracy."

Douglas said if the findings of the District Court were deficient in this respect, they were "obscure" in another—where it speaks of the absence of a "purpose" on the part of any of the five majors to achieve a national monopoly in the exhibition of films.

No Finding on 'Monopoly'

He stated there was no finding as to the presence or absence of monopoly on the part of the five majors in the first-run field—"The cream of the exhibition business and the core of the present cases." Second, he said, "specific intent" is not necessary to establish an intent to create a monopoly—such intent is considered present if monopoly results as a necessary consequence. And finally, he said, monopoly power, whether lawfully or unlawfully acquired, may violate the anti-trust laws, though unexercised, if it is coupled with an intent to exercise the power.

"The District Court," Douglas said, "being primarily concerned with the number and extent of theatre holdings of defendants, did not address itself to this phase of the monopoly problem. Here, also, parity of treatment as between independents and the five majors as theatre owners, who were tied into the same general conspiracy, necessitates consideration of this question."

The 40-page opinion by Justice Douglas said no issue of freedom of the press was involved. He stated that the court had no doubt that motion pictures, like newspapers and radio, are included in the guaranties of the First Amendment, and the issue might arise if there is any question of monopoly in film production. But that question was eliminated in the lower court, he said.

Douglas said the majority of the court did not agree with the Justice Department's contention that vertical integration of production, distribution and exhibition of motion pictures is illegal *per se*, and listed various criteria which must be used to determine this.

This, too, was not considered by the District Court, he said.

Expansion Ban Ended

For all these reasons, he continued, the findings on monopoly and divestiture will be set aside. Another independent reason, he said, is that the high court is throwing out competitive bidding and the District Court considered competitive bidding as an alternative and that further consideration of divestiture should not be had until competitive bidding has been tried and found wanting.

Douglas said of necessity the provision of the decree barring the five majors from further theatre expansion should be eliminated while the District Court makes "an entirely fresh start on the whole of the problem." He emphasized however, that this did not mean the high court thought the lower court holding in error.

The decision characterized the Justice Department's request for a ban on cross-licensing as "an indirect way of forcing divestiture," since testimony shows each distributor does not have enough films to supply his own theatres.

Final decision on whether such a ban would be a short range remedy in the absence of competitive bidding rests with the District Court, Douglas said.

Douglas specifically stated that the District Court, in reconsidering the adequacy of its decree, is not limited to the specific items sent back by the high court.

Bidding Termed 'Central Arch'

The competitive bidding system, he said, "was perhaps the central arch of the decree designed by the District Court, and its elimination may affect the case in ways other than those which we expressly mention."

The high court did make some fairly specific findings on theatres jointly owned by two or more majors or by majors with independents. It declared that the dissolution and prohibition of joint ownership between exhibitor defendants was plainly warranted, since it becomes a device for strengthening their competitive positions as exhibitors by forming an alliance as distributors.

On the matter of ordering sale of all theatres jointly held with independents, however, where the major owned more than five per cent interest and less than 95 per cent, Douglas said the lower court erred.

It should not have treated all relationships alike, he said some theatres were illegally acquired, and these should be divested; some were legally acquired, but illegally used to further a conspiracy, and these should be divested; but in some cases where a theatre was acquired as an "innocent investment" and where a theatre has not been used to further a conspiracy, "its retention by defendants would be justified in the absence of a finding that no monopoly resulted" and providing theatre ownership of the five majors is not prohibited completely.

10 Years in Court and The End Is Not Yet

Yesterday's U. S. Supreme Court decision in the Government's so-called Paramount anti-trust action still fails to end the nearly 10 years of litigation. The suit was filed in July, 1938, in New York Federal District Court. Subsequent key dates in the action follow:

June, 1940: First trial starts, adjourns after three days.
October, 1940: Consent Decree approved.
September, 1943: Negotiations for new Decree start.
August, 1944: Government moves for trial of suit.
October 8, 1945: Trial starts in New York Federal Court.
November 20, 1945: Court trial ends.
January 17, 1946: Case to court for decision.
June 11, 1946: Decision filed in U. S. District Court.
December 31, 1946: New York District Court enters its Decree.
January 10, 1947: Distributors file for postponement of Competitive Bidding for 90 days in New York District Court.
January 22, 1947: New York Federal Court hears distributors' pleas for modification of decree judgment and for stay of competitive bidding.
February, 1947: Appeals filed with Supreme Court.
March 28, 1947: Supreme Court asked for stay of Consent Decree pending its hearing of appeals.
April 7, 1947: Stay order granted.
February 9, 1948: Supreme Court hears appeal arguments in the case.
May 3, 1948: Supreme Court hands down decision, as reported in this issue.

Ban on Cross Licensing Also Is Undecided

In such cases, too, Douglas said, the majors might be permitted to acquire the interest of the independents with court consent.

Justice Douglas said that "at first blush, there is much to commend the system of competitive bidding." After reflection, however, he continued, "we have concluded that competitive bidding involves the judiciary so deeply in the daily operation of this nationwide business and promises such dubious benefits that it should not be undertaken."

Cites Brief on Auctioning

Douglas cited Columbia's brief as to all the complications that might arise from selling films at auction—"obviously a more complicated matter than the like sales for cash of tobacco, wheat or other produce." He said the question of who is the highest bidder involved the use of standards incapable of precise definition, and this would pose a tremendous job on the courts, and one for which they are not suited.

Competitive bidding also uproots business arrangements and established relationships with no apparent overall benefit to the small independent exhibitor, Douglas stated. "If each feature must go to the highest responsible bidder," he said, "those with the greatest purchasing power would seem to be in a favored position. Those with the longest purse—the exhibitor defendants and the large circuits—would seem to stand in a preferred position."

Decree as 'Protective Cloak'

Douglas pointed out that if the large theatre owners did get the cream of the business under competitive bidding "they would have the cloak of the court's decree around them for protection. . . . If a premium is placed on purchasing power, the court-created system may be a powerful factor towards increasing the concentration of economic power in the industry rather than cleansing the competitive system of unwholesome practices."

The decision said that the court's doubts on the system are "increased by the fact that defendants who own theatres are allowed to pre-empt their own features."

The entire system, Douglas said, deprives the independents of "the stability which flows from established business relationships. They can no longer depend on their private sources of supply which their ingenuity has created."

Douglas pointed out that the elimination of competitive bidding "leaves a hiatus of two which will have to be filled on remand of the cases."

Douglas said the District Court has no power to force or require parties to submit to arbitration in lieu of the

(*Continued on page* 9)

New Hearing Ordered

(*Continued from page 8*)

remedies afforded by Congress, but that it does have the power to authorize maintenance of such a system by those parties who consent and to provide the rules and procedures under which it is to operate.

Arbitration System Mandatory

"The use of the system would not, of course, be mandatory," he said. "It would be merely an auxiliary enforcement procedure, barring no one from the use of other remedies which the law affords for violations either of the Sherman Act or of the decree of the court. Whether such a system of arbitration should be inaugurated is for the discretion of the District Court."

Justice Douglas' opinion had this to say about specific trade practices enjoined by the District Court:

Price Fixing—"The District Court found that two price-fixing conspiracies existed—a horizontal one between all of the defendants; a vertical one between each distributor-defendant and its licensees. The latter was based on express agreements and was plainly established. The former was inferred from the pattern of price-fixing disclosed in the record. We think there was adequate foundation for it, too. It is not necessary to find an express agreement in order to find a conspiracy. It is enough that a concert of action is contemplated and that the defendants conformed to the arrangement."

Cite Gypsum Decision

"We recently held in *United States vs. Gypsum Co.* that even patentees could not regiment an entire industry by licenses containing price-fixing agreements. What was said there is adequate to bar defendants, through their horizontal conspiracy, from fixing prices for the exhibition of films in the movie industry. Certainly the rights of the copyright owner are no greater than those of the patentee. Nor can the results be different when we come to the vertical conspiracy between each distributor-defendant and his licensees."

Clearances and Runs—"The evidence is ample to show, as the District Court plainly demonstrated, that many clearances had no relation to the competitive factors which alone could justify them. The clearances which were in vogue had, indeed, acquired a fixed and uniform character and were made applicable to situations without regard to the special circumstances which are necessary to sustain them as reasonable restraints of trade. The evidence is ample to support the District Court that the defendants either participated in evolving this uniform system of clearances or acquiesced in it and so furthered its existence. That evidence . . . is therefore adequate to support the finding of a conspiracy to restrain trade by imposing unreasonable clearance."

Reject 'Fair Return' Plea

"Some of the defendants ask that this provision be construed (or, if necessary, modified) to allow licensors in granting clearances to take into consideration what is reasonably necessary for a fair return to the licensor. We reject that suggestion. If that were allowed, then the exhibitor-defendants would have an easy method of keeping alive at least some of the consequences of the effective conspiracy which they launched. . . . That is too potent a weapon to leave in the hands of those whose proclivity to unlawful conduct has been so marked."

Burden of Proof on Distributor

"Objection is made to a further provision of this part of the decree stating that whenever any clearance provision is attacked as not legal under the provisions of this decree, the burden shall be upon the distributor to sustain the legality thereof. We think that provision was justified.

Clearances have been used all along with price-fixing to suppress competition with the theatres of the exhibitor-defendants and with other favored exhibitors. . . . Those who have shown such a marked proclivity for unlawful conduct are in no position to complain that they carry the burden of showing that their future clearances come within the law."

Pooling Agreements—"The provision of the decree will stand. The practices were bald efforts to substitute monopoly for competition and to strengthen the hold of the exhibitor-defendants on the industry by alignment of competitors on their side. Clearer restraints of trade are difficult to imagine."

Formula Deals, Master Agreements, and Franchises—The decision upheld the lower court decree on the first two, but threw out the decision on franchises, stating that they were dependent on competitive bidding, which the high court was eliminating.

Bar 'Deals,' 'Agreements'

"The findings of the District Court in these respects are supported by facts, its conclusion that the formula deals and master agreements constitute restraint of trade is valid, and the relief is proper."

"The formula deals and master agreements are unlawful and restraints of trade in two respects: In the first place, they eliminate the possibility of bidding for films theatre by theatre . . . stifling competition and diverting the cream of the business to the large operators. In the second place, the pooling of the purchasing power of an entire circuit in bidding for films is a misuse of monopoly power insofar as it combines the theatres in closed towns with competitive situations.

"It seems that the legality of franchises to other exhibitors . . . was not in issue in the litigation. Moreover, the findings in franchises are clouded by the statement of the district court in the opinion that franchises 'necessarily contravene the plan of licensing each picture, theatre by theatre, to the highest bidder'.

Further Study on Franchises

"We can see how if franchises were allowed to be used between the exhibitor-defendants each might be able to strengthen its strategic position in the exhibition field and continue the ill effects of the conspiracy which the decree is designed to dissipate. Franchise agreements may have been employed as devices to discriminate against some independents in favor of others . . . but we cannot say on this record that franchises are illegal *per se* when extended to any theatre or circuit no matter how small.

"We set aside the findings on franchises so that the court may examine the problem in the light of the elimination from the decree of competitive bidding."

Block-Booking — The court enjoined defendants from performing or entering into any license in which the right to exhibit one feature is conditioned upon the licensees' taking one or more other features. We approve that restriction. . . . Where a high quality film greatly desired is licensed only if an inferior one is taken, the latter borrows quality from the former and strengthens its monopoly by drawing on the other. The practice tends to equalize rather than differentiate the reward for the individual copyrights. . . . The result is to add the monopoly of the copyright in violation of the principle of the patent cases involving tying clauses. . . . We do not suggest that films may not be sold in blocks or groups, when there is no requirement, express or implied, for the purchase of more than one film. All we hold to be illegal is a refusal to license one or more copyrights unless another copyright is accepted."

Discrimination Findings Upheld

Discrimination — The high court said District Court findings on various types of discrimination practised by the distributors in favor of the large circuits "are amply supported by the evidence. We concur in the conclusion that these practices included among the restraints of trade which the Sherman Act condemns. It will be for the District Court on remand of these cases to provide effective relief against their continuance, as our elimination of the provision for competitive bidding leaves this phase of the case unguarded."

Douglas said the suggestion had been made that the large exhibitors had forced the defendants to use the illegal practices. "That circumstance, if true, does not help the defendants," Douglas said. "Acquiescence in an illegal scheme is as much a violation of the Sherman Act as the creation and promotion of one."

Dissent by Frankfurter

In his dissenting opinion Justice Frankfurter declared that it was not the function of the Supreme Court to frame decrees. He said he would affirm the decision of the District Court, with the exception of the lower court's omission to continue an arbitration system in the decree.

"The District Court," he said, "deemed itself powerless to continue an arbitration system without the consent of the parties. I do not find such want of power in the District Court to select this means of enforcing the decree most effectively, with the least friction and by the most fruitful methods. A decree as detailed and as complicated as is necessary to fit a situation like the one before us," Frankfurter continued, "is bound, even under the best of circumstances, to raise controversies involving conflicting claims as to facts and their meaning."

"I would therefore leave it to the discretion of the District Court to determine whether such a system is not available as an instrument of auxiliary enforcement," he concluded.

In writing of the high court's right to frame decrees, Frankfurter declared: "It is not the function of this court, and it would ill discharge it, to displace the District Courts and write decrees *de novo*. We are, after all, an appellate tribunal even in Sherman law cases."

"The District Court's opinion," he continued, "manifests a stout purpose on the part of that court to enforce its thoroughgoing understanding of the requirements of the Sherman law as elucidated by this court. And so we have before us the decree of a district court thoroughly aware of the demands of the Sherman law and manifestly determined to enforce it in all its rigors."

Refers to 'Mass of Evidence'

Frankfurter outlined the mass of evidence which the lower court examined before filing "its careful opinion." The terms were finally promulgated, he said, after a long trial, full discussion of the terms of the decree and an elaborate opinion of the merits.

"I cannot bring myself to conclude," he said, "that the product of such a painstaking process of adjudication as to a decree appropriate for such a complicated situation as this record discloses was an abuse of discretion, arrived at as it was after due absorption of all the light that could be shed upon remedies appropriate for the future."

High Court Denies Intervention Pleas

Washington, May 3.—The Supreme Court turned down the plea of the American Theatres Association and other exhibitor groups to intervene in the case on the ground that their arguments were directed to the competitive bidding section and "now that the provisions for competitive bidding have been eliminated from the decree there is no basis for saying that the decree affects their legal rights."

Justice Douglas said that because of this situation, the court did not have to pass on the argument whether the Justice Department adequately represented the would-be intervenors.

Court Considered 3 Cases Together

Washington, May 3.—The Supreme Court obviously had considered the Paramount, Schine and Griffith cases together, since each decision contained references to the other two decisions. Justice Douglas delivered the decisions in all three cases, with Justice Frankfurter entering a lone dissenting opinion in both the Paramount and Griffith cases. He concurred in the Schine case.

Griffith

(*Continued from page* 1)

plaints. Justice Douglas delivered the majority opinion, with Justice Frankfurter dissenting. Justices Murphy and Jackson did not participate.

The Government's suit was directed against Griffith Amusement Co., Consolidated Theatres, Inc., R. E. Griffith Theatres, Inc., Westex Theatres, Inc., J. J. Griffith and L. C. Griffith.

In the Griffith decision Douglas enunciated many of the general principles that he laid down in the Paramount case.

Hits 'Exclusive Privileges'

He declared that the Griffith theatres were "concededly" using their circuit buying power to obtain films, and that "Monopoly rights in the form of certain exclusive privileges were bargained for and obtained."

Since these exclusive privileges were acquired by the use of monopoly power, Douglas stated, "they were unlawfully acquired. The appellees, having combined with each other and with the distributors to obtain these monopoly rights, formed a conspiracy" in violation of the act. Further, Douglas pointed out, "it is plain from the course of business that the commerce was interstate."

"What effect these practices actually had on the competitors of appellee exhibitors or on the growth of the Griffith circuit," the decision continued, "we do not know. The district court, having started with the assumption that the use of circuit buying power was wholly lawful, naturally attributed no evil to it and thus treated the master agreements as legitimate weapons of competition. Since it found that no competitors were driven out of business, or acquired by appellees, or impeded in their business by threats or coercion, it concluded that appellees had not violated the Sherman Act in any of the ways charged in the complaint."

'Buying Power Illegally Used'

However, Douglas pointed out, "these findings are plainly inadequate if we start, as we must, from the premise that the circuit buying power was unlawfully employed." It cannot be doubted, he continued, that the "monopoly power of appellees had some effect on their competitors and on the growth of the Griffith circuit. Its extent must be determined on a remand of the cause."

The complaint charged, Douglas said, that certain exclusive privileges which were granted to the Griffith theatres by master agreements "unreasonably restrained competition" by preventing competitors from obtaining enough first- or second-run films from distributors to operate successfully.

In outlining the District court's findings Douglas declared that the lower court found no conspiracy between the Griffith exhibitors or between them and the distributors, no agreements in restraint of trade, no monopoly of or attempt to monopolize licensing of films for first or subsequent runs, no agreement granting unreasonable clearance to the Griffith theatres.

Anti-trust Laws Violated

"It is, however," Douglas asserted, "not always necessary to find a specific intent to restrain trade or to build a monopoly in order to find that the anti-trust laws have been violated. It is sufficient that a restraint of trade or monopoly results as the consequence of a defendant's conduct or business arrangements."

Monopoly power, he continued, whether lawfully or unlawfully acquired, "may itself constitute an evil and stand condemned" under the Sherman Act, even though "it is unexercised."

And the use of monopoly power, he added, however lawfully acquired, is unlawful, if it is used "to foreclose competition, to gain a competitive advantage, or to destroy a competitor."

"A man with a monopoly of theatres in any one town," Douglas stated, "commands the entrance for all films into that area. If he uses that strategic position to acquire exclusive privileges in a city where he has competitors, he is employing his monopoly power as a trade weapon against his competitors. It may be a feeble, ineffective weapon where he has only one closed or monopoly town. But as these towns increase in number throughout a region, his monopoly power in them may be used with crushing effect on competitors in other places."

Reviews

"Gelosia"

(*Film Rights, Inc.—Italian*)

ADAPTED from Luigi Capuana's novel, "The Marquis of Roccaverdina," this is a telling reminder to foreign-film fans that the Italians also turn out mediocre pictures. The film is over-dramatic and its almost childishly conceived story is of a man who commits murder out of jealousy and whose conscience in the end drives him insane. Everything in the picture (which has Italian dialogue with English sub-titles) is told on such an elementary level that art-theatre audiences are likely to scorn it, although Italian-language theatres may find it a stimulant to their business.

"Gelosia" has deep religious undertones and is tense with emotional strain and stress. Roldano Lupi resembles James Mason in more than his looks. Luisa Ferida, now dead, is beautiful as the girl he loves and with whom he has lived. Cines-Universalcine produced. Ferdinando M. Poggioli (deceased) directed.

Running time, 87 minutes. Adult classification. Current release.

"Who Killed Santa Claus?"

(*Lopert—French with English subtitles*)

HARRY BAUR, renowned actor who was killed by the Nazis, makes his farewell in a loveable and delightful role of Santa Claus. An appealing story is presented with excellent characterizations. The setting, a mountain region of France, lends itself to beautiful photography.

Each Christmas Eve a kindly merchant becomes Santa Claus and visits all homes in the village. This time a man in the Santa Claus costume is found murdered, but he is not the merchant. A valuable jewel is stolen from the local church. After the jewel thief and murderer are captured, the merchant again puts on his costume and brings a gift to a sick child who had been skipped on Christmas Eve. In a romantic sub-plot, the local baron, played by Raymond Rouleau, falls in love with Catherine, the merchant's daughter, played by Renee Faure. Christian Jacques directed. The story was adapted from Pierre Very's novel. English subtitles are by George Slocombe.

Running time, 95 minutes. General audience classification. Current release.

"The Damned"

(*Discina International—In French and German, with English subtitles*)

AN exciting and action-packed film that compares favorably with Hollywood pictures of the same adventure type, "The Damned" retains the fine French touch for sketching personalities and characters, combined with some exceptionally effective photography, and can be criticized only for its length and for the illogical aspect of part of its story.

The tale concerns a group of Nazis fleeing a beaten Germany aboard a submarine and kidnapping a young French doctor before their departure. It has many tense moments and should be a natural for art theatres. Eventually, all but the doctor and a girl perish, some through suicide, some through violence. Henri Vidal, Florence Marly, Kurt Kronefeld, Anne Campion and Jo Dest all give fine performances. Andre Paulve and Michel Safra produced. Rene Clement directed.

Running time, 103 minutes. General audience classification. Current release.

Walters in FC Post

BUFFALO, May 3.—Ed Walters has been appointed office manager and booker here for Film Classics under Joseph Miller, branch manager.

Schine

(*Continued from page* 1)

major distributors, and the best way of forcing Schine to get rid of these. Even after these theatres are disposed of, however, the court said, "the Schine circuit might still constitute a monopoly power of the kind which the Sherman Act condemns. . . . The mere existence of the power to monopolize, together with the purpose or intent to do so, constitutes an evil at which the act is aimed. Whether that condition will obtain in this case must await findings on the other phase of the case."

The high court specifically upheld the lower court decree dissolving Schine's pooling agreements, prohibiting Schine from buying or booking films for theatres in which Schine has no financial interest. It also upheld the ban on future theatre acquisitions. Appointment of a trustee to sell the theatre holdings was not considered, Justice Douglas said, for that is tied in with the divestiture provisions which are to be reconsidered.

Douglas upheld Schine's objections to the injunction against "monopolizing first- and second-run films," declaring that "the public interest requires a more specific decree be entered on this phase of the case, with the precise practices found to have violated the act enjoined." However, he rejected the objections to the other parts of the injunction.

Douglas was extremely caustic on the District Court's findings on clearances, setting them aside "since we do not know for certain what the findings mean." At another point, he said the District Court's reasoning as to what clearances were reasonable and what were not left the court "somewhat in the dark." In setting the findings on clearances aside, however, Douglas cautioned that this did not mean that the record would not sustain findings adverse to Schine but only that the findings on the matter must reflect "an appraisal of the complex factors bearing on this question of reasonableness."

Independents 'Deprived' by Schine

Douglas said that as in the Griffith case the combining of the open and closed towns for the negotiation of films for the circuit was a restraint of trade and the use of monopoly power in violation of the Sherman Act. He said this action supported a finding that Schine arbitrarily deprived independents of first and second run pictures.

The opinion also upheld a lower court finding that the franchise agreements are unreasonable restraints of trade and intensified the impact of Schine's monopoly power. Also upheld were findings that Schine made threats to build theatres or to open closed ones in order to force sales of theatres in various towns or prevent entry by independents; that agreements which Schine exacted from competitors it bought out not to compete were in violation of the Sherman Act; and that Schine's rental agreements received better minimum admission price terms than those of competitors. Douglas said the District Court's finding that Schine obtained film rental concessions not available to independents "is not intelligible to us," and stated that though the evidence showed Schine cut admission prices "price cutting without more is not a violation of the Sherman Act."

On divestiture, Douglas pointed out that the District Court had not pursued the possibility of dismemberment of the Schine circuit through separation of the theatres into geographical groupings under separate and unaffiliated ownerships." Nor did its findings reflect an inquiry to determine what theatres had been acquired by Schine through methods which violate the Sherman Act, Douglas said.

Injunctions Held 'Inadequate'

He declared that injunction against future violations is not adequate to protect the public interest in such cases, and that divestiture or dissolution is an essential feature. To require divestiture of theatres unlawfully acquired, he said, does not add to the penalties in the anti-trust laws, but merely deprives a defendant of the gains from wrongful conduct.

In the Schine case, Douglas continued, the District Court had not determined what the fruits of the conspiracy were. "The findings do not reveal what the rewards of the conspiracy were; and consequently the court did not consider what would be the preferable way of causing appellants to surrender them. The case must therefore be remanded so that the District Court may make appropriate findings on this phase of the case."

NLRB Steps in On 'Feather-Bedding'

HARTFORD, May 3.—A National Labor Relations Board hearing on the complaint of the State Theatre, Hartford, of "feather-bedding" charges in violation of the Taft-Hartley Act, against musicians local No. 400, AFM, has been recessed, until the matter of appeals can be settled.

It is said to be the first time the NLRB has tried to exercise such power over exhibition. An NLRB examiner, Charles Whittemore of Washington, has ruled here that the NLRB has jurisdiction over labor disputes involving local theatres and unions.

Albany Variety Sets June Golf Tourney

ALBANY, N. Y., May 3.—Albany Variety Club's golf tournament will be held in June, it was decided tonight at a meeting here. Nate Winig was appointed chairman of the arrangements committee. C. J. Latta, chairman of the "Heart Fund," reported that plans for the local tent's summer camp at Thompson Lake provide for 55 boys as guests each week.

Latta, second assistant international chief barker; Harry Lamont, chief barker, and Eugene Teper, delegate, reported to the general meeting here tonight on the recent Variety convention in Miami.

Columbia Film in 'B' As Legion Classes 11

Columbia's "Best Man Wins" has been classified in Class B by the National Legion of Decency among 11 pictures reviewed this week. Placed in Class A-I were: "The Bold Frontiersman," Republic; "The Iron Curtain" and "Winners Circle," 20th Century-Fox, and "The Noose Hangs High," Eagle-Lion. Classified A-II were: "The Angry God," United Artists; "The Cobra Strikes" and "Man from Texas," Eagle-Lion; "The Counterfeiters," 20th-Fox; "Port Said," Columbia, and "Your Red Wagon," RKO Radio.

Philco Sales Rise With Video Growth

PHILADELPHIA, May 3. — Sales of Philco Corp. totaled $58,661,000 in the first quarter of 1948, compared with $50,187,000 for the same period in 1947, according to John Ballantyne, president, who attributes the increase in large part to the rising demand for television sets.

Net income in the first quarter of 1948 was $1,958,746, after all charges. In the comparable 1947 period, net income was $1,609,754.

Gartner Plans Theatre

BALTIMORE, May 3. — Lou Gartner, Baltimore circuit operator, has announced that plans are being drawn for a new neighborhood house to be located in Dundalk, just beyond the city limits.

POINT OF SALE
ADVERTISING
Colorful - Self Adhesive - Cellophane, processed in Rolls. Easy to buy - Easy to apply - used for Packaging - Point of Sale advertising - Parts marking and Aircraft Wire terminal identification.
TOPFLIGHT TAPE CO. - YORK, PA.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BALTIMORE

Only big attractions are doing business. Average films are not getting as much. Out front for the week is "State of the Union," with "The Lady from Shanghai" doing a fairly good second—aided by a stage show. Estimated receipts for the week ending May 6:

ARE YOU WITH IT? (U-I)—KEITH'S (2,405) (25c-37c-44c-54c, and 56c weekends). Gross: $9,500. (Average: $12,000)
LADY FROM SHANGHAI (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c). With a stage show. Gross: $19,000. (Average: $17,000)
PANHANDLE (Allied)—MAYFAIR (1,000) (21c-29c-54c). Gross: $5,500. (Average: $5,000)
SITTING PRETTY (20th-Fox)—NEW (1,800) (29c-40c-50c-56c) 3rd week. Gross: $8,750. (Average: $11,750)
STATE OF THE UNION (M-G-M)—CENTURY (3,000) (29c-37c-45c-54c, and 56c weekends). Gross: $20,000. (Average: $14,500)
THE BRIDE GOES WILD (M-G-M)—VALENCIA (1,466) (29c-37c-45c-54c, and 56c weekends) 3rd week. Gross: $4,750. (Average: $5,000)
THE MIRACLE OF THE BELLS (RKO Radio)—TOWN (1,450) (29c-37c-56c) 3rd week. Gross: $8,000. (Average: $10,500)
TORMENT (Oxford)—LITTLE (328) (29c-37c-56c). Gross: $3,250. (Average: $3,000)
WINTER MEETING (WB)—STANLEY (3,280) (29c-37c-50c-58c) 2nd week. Gross: $8,500. (Average: 14,500)

CINCINNATI

Weekend weather was cold and rainy. Estimated receipts for the week ending May 4:

SITTING PRETTY (RKO Radio)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 7 days, 6th week, following an initial week at the Palace, two moveover weeks at the Shubert, two moveover weeks at the Lyric, and the current moveover week at the Shubert. Gross: $4,000. (Average: $5,000)
SONG OF MY HEART (Mono.)—KEITH'S (1,500) (50c-55c-60c-65c-75c). Gross: $7,000. (Average: $7,500)
WINTER MEETING (M-G-M)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $16,000. (Average: $15,000)
TARZAN AND THE MERMAIDS (RKO Radio)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c). Gross: $11,000. (Average: $8,000)
THAT'S MY MAN (Rep.)—RKO ALBEE (3,300) (55c-95c). Stage show headed by the Mills Brothers. Gross: $27,000. (Average: $30,000)
UNCONQUERED (Para.)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Capitol. Gross: $4,500. (Average: $5,000)
STATE OF THE UNION (WB)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c). Gross: $9,500. (Average: $10,000)

TORONTO

Holdovers dwindled to five for the current week at Toronto's enlarged group of first-runs. Outdoor activities were on the increase, but hockey playoffs have finally bowed out. Ready money was on the short side because of heavy income tax payments. Estimated receipts for the week ending May 6:

THE BRIDE GOES WILD (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days, 2nd week. Gross: $14,200. (Average: $14,200)
AN IDEAL HUSBAND (20th-Fox)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days. Gross: $16,900. (Average: $14,900)
INTRIGUE (UA) and THE MAIN STREET KID (Rep.)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $10,100. (Average: $11,600)
JASSY (E-L)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days, 3rd week. Gross: $5,000. (No average, new theatre)
JASSY (E-L)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days, 3rd week. Gross: $4,500. (Average: $5,000)
NORTHWEST OUTPOST (Rep.)—BILTMORE (938) (15c-30c-36c-55c) 6 days. Gross: $6,000. (No average, new theatre)
SAIGON (Para.)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days. Gross: $18,100. (Average: $14,600)
THE SIGN OF THE RAM (Col.)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days. Gross: $7,900. (Average: $7,400)
THE SIGN OF THE RAM (Col.)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days. Gross: $10,200. (Average: $9,200)
SITTING PRETTY (20th-Fox)—NORTOWN (950) (20c-36c-42c-60c) 6 days, 7th week. Gross: $4,000. (Average: $7,000)
SITTING PRETTY (20th-Fox).— VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 7th week. Gross: $4,000. (Average: $6,300)

ATLANTA

Business here is up to average. Estimated receipts for the week ending May 4:

THE BIG CLOCK (Para.)—FOX (4,446) (12c-50c). Gross: $13,500. (Average: $14,000)
FURY AT FURNACE CREEK (20th-Fox)—PARAMOUNT (2,446) (12c-50c). Gross: $5,900. (Average: $5,800)
SLIGHT CASE OF MURDER (WB) and MUMMY'S TOMB (Rel.)—ROXY (2,446) (30c-50c). Gross: $5,900. (Average: $5,800)
STATE OF THE UNION (M-G-M)—LOEW'S GRAND (2,446) (12c-50c). Gross: $15,000. (Average: $15,000)

N. Y. Grosses

(*Continued from page* 3)

for a second week. A substantial $80,000 is reported for "The Big Clock," along with Duke Ellington's band on stage, in a second week at the Paramount.

A satisfactory second-week performer is "Kings of the Olympics" at the Gotham, where $7,000 is expected; "Whispering City" will take over on Saturday. "Letter from an Unknown Woman" is doing moderately well at the Rivoli, where $31,000 is seen for a first week. At the Roxy, "Anna Karenina," plus a stage bill headed by Larry Adler, are very mild, with only $72,000 expected for the first week on the basis of $60,000 taken in Wednesday through Sunday.

"Mr. Blandings Builds His Dream House" is fair at the Astor where a sixth week looks like $24,000. At Loew's State, "Intrigue" will bow out after five days of a second week with $16,000 expected; it will be replaced by "Unconquered" tomorrow.

A fair $36,000 is seen for the third week of "To the Victor," along with Cab Calloway's band on stage, at the Strand, on the basis of $18,000 grossed on Friday through Sunday. At the Warner, "Winter Meeting" is expected to bring in a moderate $12,000 for a fourth week. Eleventh and final week of "The Pearl" brought the Sutton only $3,400. Third and final week of "Are You With It?" is due to give the Winter Garden a mild $12,000. At the Mayfair, "Gentleman's Agreement" continues good with $15,000 seen for its 25th week.

"The Woman in White" will take over on Friday at the Strand; "The Brothers" bowed in at the Sutton today; "Dear Murderer" will move into the Winter Garden on Friday.

Third week of "The October Man" is expected to gross $6,000 at the Bijou. "The Search" is due for $12,000 in its sixth week at the Victoria. At the Park Avenue, "The Mikado" looks like $5,500 for a third week.

Backlog of Fourteen Productions for U-I

A May backlog of 14 pictures, largest since the merger of Universal and International one year and a half ago, was announced here yesterday by U-I. List includes "Washington Girl," "Kiss the Blood Off My Hands," "Another Part of the Forest," "Letter From an Unknown Woman," "One Touch of Venus," "Mr. Peabody and the Mermaid," "Man Eaters of Kumaon," "The Charming Matt Saxon," "Feudin', Fussin and A-Fightin'," "I Stand Accused," "Up in Central Park," "Abbott and Costello Meet Frankenstein," "Tap Roots" and "River Lady." All but the first two have been finished.

RKO-Hughes

(*Continued from page* 1)

Atlas has been willing to liquidate its RKO investment and while various other bids were considered from time to time, none made much progress until Hughes opened his bidding last year.

Hughes is head of the Hughes Tool Co., Houston, Texas. He entered motion picture production in 1927 with the Caddo Co., which produced "Two Arabian Knights." Subsequently, he produced "Hell's Angels," "Scarface," "Front Page," "Sky Devils" and the current "The Outlaw."

Schmidt Buys a Theatre

MARION, S. D., May 3. — Howard Schmidt has purchased the Marion Theatre from George Billings.

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POTTSTOWN, PA....$7,800

MAHANOY CITY, PA....$9,633

NASHVILLE, TENN....$8,492

MILWAUKEE, WIS....$10,200

WASHINGTON, D. C....$11,228

SAGINAW, MICH....$8,522

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MOTION PICTURE DAILY

SUPREME COURT DECISION IN U. S. SUIT Vs. MAJORS

SUPREME COURT OF THE UNITED STATES

Nos. 79-86.—October Term, 1947.

The United States of America, Appellant,
79 v.
Paramount Pictures, Inc., Paramount Film Distributing Corporation, Loew's, Incorporated et al.

Loew's, Incorporated, Radio-Keith-Orpheum Corporation, RKO Radio Pictures, Inc., et al., Appellants,
80 v.
The United States of America.

Paramount Pictures, Inc., and Paramount Film Distributing Corporation, Appellants,
81 v.
The United States of America.

Columbia Pictures Corporation and Columbia Pictures of Louisiana, Inc., Appellants,
82 v.
The United States of America.

United Artists Corporation, Appellant,
83 v.
The United States of America.

Universal Pictures Company, Inc. (Sued herein as Universal Corporation and Universal Pictures, Company, Inc.), Universal Film Exchanges, Inc., and Big U. Film Exchange, Inc., Appellants.
84 v.
The United States of America.

American Theatres Association, Inc., Southern California Theatre Owners Association, Joseph Moritz et al., Appellants.
85 v.
The United States of America.

Paramount Pictures, Inc., Paramount Film Distributing Corporation et al.

W. C. Allred, Charles E. Beach and Elizabeth L. Beach et al., Appellants,
86 v.
The United States of America, Paramount Pictures, Inc., Paramount Film Distributing Corporation et al.

Appeals from the District Court of the United States for the Southern District of New York.

[May 3, 1948.]

Mr. Justice Douglas delivered the opinion of the Court.

These cases are here on appeal[1] from a judgment of a three-judge District Court[2] holding that the defendants had violated § 1 and § 2 of the Sherman Act, 26 Stat. 209, as amended, 50 Stat. 693, 15 U. S. C. §§ 1, 2, and granting an injunction and other relief. 66 F. Supp. 323; 70 F. Supp. 53.

The suit was instituted by the United States under § 4 of the Sherman Act to prevent and restrain violations of it. The defendants fall into three groups: (1) Paramount Pictures, Inc., Loew's, Incorporated, Radio-Keith-Orpheum Corporation, Warner Bros. Pictures, Inc., Twentieth Century-Fox Film Corporation, which produce motion pictures, and their respective subsidiaries or affiliates which distribute and exhibit films. These are known as the five major defendants or exhibitor-defendants. (2) Columbia Pictures Corporation and Universal Corporation, which produce motion pictures, and their subsidiaries which distribute films. (3) United Artist Corporation, which is engaged only in the distribution of motion pictures. The five majors, through their subsidiaries or affiliates, own or control theatres; the other defendants do not.

The complaint charged that the producer defendants had attempted to monopolize and had monopolized the production of motion pictures. The District Court found to the contrary and that finding is not challenged here. The complaint charged that all the defendants, as distributors, had conspired to restrain and monopolize and had restrained and monopolized interstate trade in the distribution and exhibition of films by specific practices which we will shortly relate. It also charged that the five major defendants had engaged in a conspiracy to restrain and monopolize, and had restrained and monopolized, interstate trade in the exhibition of motion pictures in most of the larger cities of the country. It charged that the vertical combination of producing, distributing, and exhibiting motion pictures by each of the five major defendants violated § 1 and § 2 of the Act. It charged that each distributor-defendant had entered into various contracts with exhibitors which unreasonably restrained trade. Issue was joined; and a trial was had.[3]

First. Restraint of Trade—(1) *Price Fixing.*

No film is sold to an exhibitor in the distribution of motion pictures. The right to exhibit under copyright is licensed. The District Court found that the defendants in the licenses they issued fixed minimum admission prices which the exhibitors agreed to charge, whether the rental of the film was a flat amount or a percentage of the receipts. It found that substantially uniform minimum prices had been established in the licenses of all defendants. Minimum prices were established in master agreements or franchises which were made between various defendants as distributors and various defendants as exhibitors and in joint operating agreements made by the five majors with each other and with independent theatre owners covering the operation of certain theatres.[4] By these later contracts minimum admission prices were often fixed for dozens of theatres owned by a particular defendant in a given area of the United States. Minimum prices were fixed in licenses of each of the five major defendants. The other three defendants made the same requirement in licenses granted to the exhibitor-defendants. We do not stop to elaborate on these findings. They are adequately detailed by the District Court in its opinion. See 66 F. Supp. 334-339.

The District Court found that two price-fixing conspiracies existed—a horizontal one between all the defendants; a vertical one between each distributor-defendant and its licensees. The latter was based on express agreements and was plainly established. The former was inferred from the pattern of price-fixing disclosed in the record. We think there was adequate foundation for it too. It is not necessary to find an express agreement in order to find a conspiracy. It is enough that a concert of action is contemplated and that the defendants conformed to the arrangement. *Interstate Circuit* v. *United States*, 306 U. S. 208, 226-227; *United States* v. *Masonite*, 316 U. S. 265, 275. That was shown here.

On this phase of the case the main attack is on the decree which enjoins the defendants and their affiliates from granting any license, except to their own theatres, in which minimum prices for admission to a theatre are fixed in any manner or by any means. The argument runs as follows: *United States* v. *General Electric Co.*,

[1] Sec. 2 of the Expediting Act of February 11, 1903, 32 Stat. 823, as amended, 15 U. S. C. § 29, and § 238 of the Judicial Code, as amended by the Act of February 13, 1925, 43 Stat. 936, 938, 28 U. S. C. § 345.

[2] The court was convened pursuant to the provisions of the Act of April 6, 1942, 56 Stat. 198, 199, 15 U. S. C. § 28.

[3] Before trial, negotiations for a settlement were undertaken. As a result, a consent decree against the five major defendants was entered November 20, 1940. The consent decree contained no admission of violation of law and adjudicated no issue of fact or law, except that the complaint stated a cause of action. The decree reserved to the United States the right at the end of a three-year trial period to seek the relief prayed for in the amended complaint. After the end of the three-year period the United States moved for trial against all the defendants.

[4] A master agreement is a licensing agreement or "blanket deal" covering the exhibition of features in a number of theatres, usually comprising a circuit.

A franchise is a licensing agreement, or series of licensing agreements, entered into as part of the same transaction, in effect for more than one motion picture season and covering the exhibition of features released by one distributor during the entire period of the agreement.

An independent as used in these cases means a producer, distributor, or exhibitor, as the context requires, which is not a defendant in the action, or a subsidiary or affiliate of a defendant.

272 U. S. 476, held that an owner of a patent could, without violating the Sherman Act, grant a license to manufacture and vend, and could fix the price at which the licensee could sell the patented article. It is pointed out that defendants do not sell the films to exhibitors, but only license them and that the Copyright Act (35 Stat. 1075, 1088, 17 U. S. C. § 1), like the patent statutes, grants the owner exclusive rights.[5] And it is argued that if the patentee can fix the price at which his licensee may sell the patented article, the owner of the copyright should be allowed the same privilege. It is maintained that such a privilege is essential to protect the value of the copyrighted films.

We start, of course, from the premise that so far as the Sherman Act is concerned, a price-fixing combination is illegal *per se*. *United States v. Socony-Vacuum Oil Co.*, 310 U. S. 150; *United States* v. *Masonite Corporation, supra*. We recently held in *United States* v. *Gypsum Co.*, 333 U. S. —, that even patentees could not regiment an entire industry by licenses containing price-fixing agreements. What was said there is adequate to bar defendants, through their horizontal conspiracy, from fixing prices for the exhibition of films in the movie industry. Certainly the rights of the copyright owner are no greater than those of the patentee.

Nor can the result be different when we come to the vertical conspiracy between each distributor-defendant and his licensees. The District Court stated in its findings:

> "In agreeing to maintain a stipulated minimum admission price, each exhibitor thereby consents to the minimum price level at which it will compete against other licensees of the same distributor whether they exhibit on the same run or not. The total effect is that through the separate contracts between the distributor and its licensees a price structure is erected which regulates the licensees' ability to compete against one another in admission prices."

That consequence seems to us to be incontestable. We stated in *United States* v. *Gypsum Co., supra*, p. —, that "The rewards which flow to the patentee and his licensees from the suppression of competition through the regulation of an industry are not reasonably and normally adapted to secure pecuniary reward for the patentee's monopoly." The same is true of the rewards of the copyright owners and their licensees in the present case. For here too the licenses are but a part of the general plan to suppress competition. The case where a distributor fixes admission prices to be charged by a single independent exhibitor, no other licensees or exhibitors being in contemplation seems to be wholly academic, as the District Court pointed out. It is, therefore, plain that *United States* v. *General Electric Co., supra*, as applied in the patent cases, affords no haven to the defendants in this case. For a copyright may no more be used than a patent to deter competition between rivals in the exploitation of their licenses. See *Interstate Circuit* v. *United States, supra*, p. 230.

(2) *Clearances and Runs.*

Clearances are designed to protect a particular run of a film against a subsequent run.[6] The District Court found that all of the distributor-defendants used clearance provisions and that they were stated in several different ways or in combinations: in terms of a given period between designated runs; in terms of admission prices charged by competing theatres; in terms of a given period of clearance over specifically named theatres; in terms of so many days' clearance over specified areas or towns; or in towns of clearances as fixed by other distributors.

The Department of Justice maintained below that clearances are unlawful *per se* under the Sherman Act. But that is a question we need not consider, for the District Court ruled otherwise and that conclusion is not challenged here. In its view their justification was found in the assurance they give the exhibitor that the distributor will not license a competitor to show the film either at the same time or so soon thereafter that the exhibitor's expected income from the run will be greatly diminished. A clearance when used to protect that interest of the exhibitor was reasonable, in the view of the court, when not unduly extended as to area or duration. Thus the court concluded that although clearances might indirectly affect admission prices, they do not fix them and that they may be reasonable restraints of trade under the Sherman Act.

The District Court held that in determining whether a clearance is unreasonable, the following factors are relevant:

(1) The admission prices of the theatres involved, as set by the exhibitors;

(2) The character and location of the theatres involved, including size, type of entertainment, appointments, transit facilities, etc.;

(3) The policy of operation of the theatres involved, such as the showing of double features, gift nights, give-aways, premiums, cut-rate tickets, lotteries, etc.;

(4) The rental terms and license fees paid by the theatres involved and the revenues derived by the distributor-defendants from such theatres;

(5) The extent to which the theatres involved compete with each other for patronage;

(6) The fact that a theatre involved is affiliated with a defendant-distributor or with an independent circuit of theatres should be disregarded; and

(7) There should be no clearance between theatres not in substantial competition.

It reviewed the evidence in light of these standards and concluded that many of the clearances granted by the defendants were unreasonable. We do not stop to retrace those steps. The evidence is ample to show, as the District Court plainly demonstrated, see 66 F. Supp. pp. 343-346, that many clearances had no relation to the competitive factors which alone could justify them.[7] The clearances which were in vogue had, indeed, acquired a fixed and uniform character and were made applicable to situations without regard to the special circumstances which are necessary to sustain them as reasonable restraints of trade. The evidence is ample to support the finding of the District Court that the defendants either participated in evolving this uniform system of clearances or acquiesced in it and so furthered its existence. That evidence, like the evidence on the price-fixing phase of the case, is therefore adequate to support the finding of a conspiracy to restrain trade by imposing unreasonable clearances.

The District Court enjoined defendants and their affiliates from agreeing with each other or with any exhibitors or distributors to maintain a system of clearances, or from granting any clearance between theatres not in substantial competition, or from granting or enforcing any clearance against theatres in substantial competition with the theatre receiving the license for exhibition in excess of what is reasonably necessary to protect the licensee in the run granted. In view of the findings this relief was plainly warranted.

Some of the defendants ask that this provision be construed (or, if necessary, modified) to allow licensors in granting clearances to take into consideration what is reasonably necessary for a fair return to the licensor. We reject that suggestion. If that were allowed, then the exhibitor-defendants would have an easy method of keeping alive at least some of the consequences of the effective conspiracy which they launched. For they could then justify clearances granted by other distributors in favor of their theatres in terms of the competitive requirements of those theatres, and at the same time justify the restrictions they impose upon independents in terms of the necessity of protecting their film rental as licensor. That is too potent a weapon to leave in the hands of those whose proclivity of unlawful conduct has been so marked. It plainly should not be allowed so long as the exhibitor-defendants own theatres. For in its baldest terms it is in the hands of the defendants no less than a power to restrict the competition of others in the way deemed most desirable by them. In the setting of this case the only measure of reasonableness of a clearance by Sherman Act standards is the special needs of the licensee for the competitive advantages it affords.

Whether the same restrictions would be applicable to a producer who had not been a party to such a conspiracy is a question we do not reach.

Objection is made to a further provision of this part of the decree stating that "Whenever any clearance provision is attacked as not legal under the provisions of this decree, the burden shall be upon the distributor to sustain the legality thereof." We think that provision was justified. Clearances have been used along with price fixing to suppress competition with the theatres of the exhibitor-defendants and with other favored exhibitors. The District Court could therefore have eliminated clearances completely for a substantial period of time, even though, as it thought, they were not illegal *per se*. For equity has the power to uproot all parts of an illegal scheme—the valid as well as the invalid—in order to rid the trade or commerce of all taint of the conspiracy. *United States* v. *Bausch & Lomb Co.*, 321 U. S. 707, 724. The court certainly then could take the lesser step of making them *prima facie* invalid. But we do not rest on that alone. As we have said, the only justification for clearances in the setting of this case is in terms of the special needs of the licensee for the competitive advantages they afford. To place on the distributor the burden of showing their reasonableness is to place it on the one party in the best position to evaluate their competitive effect. Those who have shown such a marked proclivity for unlawful conduct are in no position to complain that they carry the burden of showing that their future clearances come within the law. Cf. *United States* v. *Crescent Amusement Co.*, 323 U. S. 173, 188.

3) *Pooling Agreement; Joint Ownership.*

The District Court found the exhibitor-defendants had agreements with each other and their affiliates by which theatres of two or more of them, normally competitive, were operated as a unit, or managed by a joint committee or by one of the exhibitors, the profits being shared according to prearranged percentages. Some of these agreements provided that the parties might not acquire other competitive theatres without first offering them for inclusion in the pool. The court concluded that the result of these agreements was to eliminate competition *pro tanto* both in exhibition and in distribution of features,[8] since the parties would naturally direct the films to the theatres in whose earnings they were interested.

The District Court also found that the exhibitor-defendants had like agreements with certain independent exhibitors. Those alliances had, in its view, the effect of nullifying competition between the allied theatres and of making more effective the competition of the group against theatres not members of the pool. The court found that in some cases the operating agreements were achieved through leases of theatres, the rentals being measured by a per-

[5] See note 12, *infra*.

[6] A clearance is the period of time, usually stipulated in license contracts, which must elapse between runs of the same feature within a particular area or in specified theatres.

Runs are successive exhibitions of a feature in a given area, first-run being the first exhibition in that area, second-run being the next subsequent, and so on, and include successive exhibitions in different theatres, even though such theatres may be under a common ownership or management.

[7] Thus the District Court found:
"Some licenses granted clearance to sell to all theatres which the exhibitor party to the contract might thereafter own, lease, control, manage, or operate against all theatres in the immediate vicinity of the exhibitor's theatre thereafter erected or opened. The purpose of this type of clearance agreements was to fix the run and clearance status of any theatre thereafter opened not on the basis of its appointments, size, location, and other competitive features normally entering into such determination, but rather upon the sole basis of whether it were operated by the exhibitor party to the agreement."

[8] A feature is any motion picture, regardless of topic, the length of film of which is in excess of 4,000 feet.

centage of profits earned by the theatres in the pool. The District Court required the dissolution of existing pooling agreements and enjoined any future arrangement of that character.

These provisions of the decree will stand. The practices were bald efforts to substitute monopoly for competition and to strengthen the hold of the exhibitor-defendants on the industry by alignment of competitors on their side. Clearer restraints of trade are difficult to imagine.

There was another type of business arrangement that the District Court found to have the same effect as the pooling agreements just mentioned. Many theatres are owned jointly by two or more exhibitor-defendants or by an exhibitor-defendant and an independent.[9] The result is, according to the District Court, that the theatres are operated "collectively, rather than competitively." And where the joint owners are an exhibitor-defendant and an independent the effect is, according to the District Court, the elimination by the exhibitor-defendant of "putative competition between itself and the other joint owner, who otherwise would be in a position to operate theatres independently." The District Court found these joint ownerships of theatres to be unreasonable restraints of trade within the meaning of the Sherman Act.

The District Court ordered the exhibitor-defendants to disaffiliate by terminating their joint ownership of theatres; and it enjoined future acquisitions of such interests. One is authorized to buy out the other if it shows to the satisfaction of the District Court and that court first finds that such acquisition "will not unduly restrain competition in the exhibition of feature motion pictures." This dissolution and prohibition of joint ownership as between exhibitor-defendants was plainly warranted. To the extent that they have joint interests in the outlets for their films each in practical effect grants the other a priority for the exhibition of its films. For in this situation, as in the case where theatres are jointly managed, the natural gravitation of films is to the theatres in whose earnings the distributors have an interest. Joint ownership between exhibitor-defendants then becomes a device for strengthening their competitive position as exhibitors by forming an alliance as distributors. An express agreement to grant each other the preference would be a most effective weapon to stifle competition. A working arrangement or business device that has that necessary consequence gathers no immunity because of its subtlety. Each is a restraint of trade condemned by the Sherman Act.

The District Court also ordered disaffiliation in those instances where theatres were jointly owned by an exhibitor-defendant and an independent, and where the interest of the exhibitor-defendant was "greater than five per cent unless such interest shall be ninety-five per cent or more," an independent being defined for this part of the decree as "any former, present or putative motion picture theatre operator which is not owned or controlled by the defendant holding the interest in question." The exhibitor-defendants are authorized to acquire existing interests of the independents in these theatres if they establish, and if the District Court first finds that the acquisition "will not unduly restrain competition in the exhibition of feature motion pictures." All other acquisitions of such joint interests were enjoined.

This phase of the decree is strenuously attacked. We are asked to eliminate it for lack of findings to support it. The argument is that the findings show no more than the existence of joint ownership of theatres by exhibitor-defendants and independents. The statement by the District Court that the joint ownership eliminates "putative competition" is said to be a mere conclusion without evidentiary support. For it is said that the facts of the record show that many of the instances of joint ownership with an independent interest are cases wholly devoid of any history of or relationship to restraints of trade or monopolistic practices. Some are said to be rather fortuitous results of bankruptcies; others are said to be the results of investments by outside interests who have no desire or capacity to operate theatres, and so on.

It is conceded that the District Court made no inquiry into the circumstances under which a particular interest had been acquired. It treated all relationships alike, insofar as the disaffiliation provision of the decree is concerned. In this we think it erred.

We have gone into the record far enough to be confident that at least some of these acquisitions by the exhibitor-defendants were the products of the unlawful practices which the defendants have inflicted on the industry. To the extent that these acquisitions were the fruits of monopolistic practices or restraints of trade, they should be divested. And no permission to buy out the other owner should be given a defendant. *United States* v. *Crescent Amusement Co., supra*, p. 189; *Schine Chain Theatres, Inc.* v. *United States, ante*, p.—. Moreover, even if lawfully acquired, they may have been utilized as part of the conspiracy to eliminate or suppress competition in furtherance of the ends of the conspiracy. In that event divestiture would likewise be justified. *United States* v. *Crescent Amusement Co., supra*, pp. 189-190. In that situation permission to acquire the interest of the independent would have the unlawful effect of permitting the defendants to complete their plan to eliminate him.

Furthermore, if the joint ownership is an alliance with one who is or would be an operator but for the joint ownership, divorce should be decreed even though the affiliation was innocently acquired. For that joint ownership would afford opportunity to perpetuate the effects of the restraints of trade which the exhibitor-defendants have inflicted on the industry.

It seems, however, that some of the cases of joint ownership do not fall into any of the categories we have listed. Some apparently involve no more than innocent investments by those who are not actual or potential operators. If in such cases the acquisition was not improperly used in furtherance of the conspiracy, its retention by defendants would be justified absent a finding that no monopoly resulted. And in those instances permission might be given the defendants to acquire the interests of the independents on a showing by them and a finding by the court that neither monopoly nor unreasonable restraint of trade in the exhibition of films would result. In short, we see no reason to place a ban on this type of ownership, at least so long as theatre ownership by the five majors is not prohibited. The results of inquiry along the lines we have indicated must await further findings in the District Court on remand of the cause.

(4) *Formula Deals, Master Agreements, and Franchises.*

A formula deal is a licensing agreement with a circuit of theatres in which the license fee of a given feature is measured, for the theatres covered by the agreement, by a specified percentage of the feature's national gross. The District Court found that Paramount and RKO had made formula deals with independent and affiliated circuits. The circuit was allowed to allocate playing time and film rentals among the various theatres as it saw fit. The inclusion of theatres of a circuit into a single agreement gives no opportunity for other theatre owners to bid for the feature in their respective areas and, in the view of the District Court, is therefore an unreasonable restraint of trade. The District Court found some master agreements[10] open to the same objection. Those are the master agreements that cover exhibition in two or more theatres in a particular circuit and allow the exhibitor to allocate the film rental paid among the theatres as it sees fit and to exhibit the features upon such playing time as it deems best, and leaves other terms to the discretion of the circuit. The District Court enjoined the making or further performance of any formula deal of the type described above. It also enjoined the making or further performance of any master agreement covering the exhibition of features in a number of theatres.

The findings of the District Court in these respects are supported by facts, its conclusion that the formula deals and master agreements constitute restraint of trade is valid, and the relief is proper. The formula deals and master agreements are unlawful restraints of trade in two respects. In the first place, they eliminate the possibility of bidding for films theatre by theatre. In that way they eliminate the opportunity for the small competitor to obtain the choice first runs, and put a premium on the size of the circuit. They are, therefore, devices for stifling competition and diverting the cream of the business to the large operators. In the second place, the pooling of the purchasing power of an entire circuit in bidding for films is a misuse of monopoly power insofar as it combines the theatres in closed towns with competitive situations. The reasons have been stated in *United States* v. *Griffiths, ante*, p. —, and *Schine Chain Theatres, Inc.* v. *United States, ante*, p. —, and need not be repeated here. It is hardly necessary to add that distributors who join in such arrangements by exhibitors are active participants in effectuating a restraint of trade and a monopolistic practice. See *United States* v. *Crescent Amusement Co., supra*, p. 183.

The District Court also enjoined the making or further performance of any franchise. A franchise is a contract with an exhibitor which extends over a period of more than a motion picture season and covers the exhibition of features released by the distributor during the period of the agreement. The District Court held that a franchise constituted a restraint of trade because a period of more than one season was too long and the inclusion of all features was disadvantageous to competitors. At least that is the way we read its findings.

Universal and United Artists object to the outlawry of franchise agreements. Universal points out that the charge of illegality of franchises in these cases was restricted to franchises with theatres owned by the major defendants and to franchises with circuits or theatres in a circuit, a circut being defined in the complaint as a group of more than five theatres controlled by the same person or a group of more than five theatres which combine through a common agent in licensing films. It seems, therefore, that the legality of franchises to other exhibitors (except as to block-booking, a practice to which we will later advert) was not in issue in the litigation. Moreover, the findings on franchises are clouded by the statement of the District Court in the opinion that franchises "necessarily contravene the plan of licensing each picture, theatre by theatre, to the highest bidder." As will be seen hereafter, we eliminate from the decree the provision for competitive bidding. But for its inclusion of competitive bidding the District Court might well have treated the problem of franchises differently.

We can see how if franchises were allowed to be used between the exhibitor-defendants each might be able to strengthen its strategic position in the exhibition field and continue the ill effects of the conspiracy which the decree is designed to dissipate. Franchise agreements may have been employed as devices to discriminate against some independents in favor of others. We know from the record that franchise agreements often contained discriminatory clauses operating in favor not only of theatres owned by the defend-

[9] *Theatres jointly owned with independents:*

Paramount	993
Warner	20
Fox	66
RKO	187
Loew's	21
Total	1287

Theatres jointly owned by two defendants:

Paramount-Fox	6
Paramount-Loew's	14
Paramount-Warner	25
Paramount-RKO	150
Loew's-RKO	3
Loew's-Warner	5
Fox-RKO	1
Warner-RKO	10
Total	214

Of the 1287 jointly owned with independents, 209 would not be affected by the decree since one of the ownership interests is less than 5 per cent, an amount which the District Court treated as *de minimis*.

[10] See note 4, *supra*.

ants but also of the large circuits. But we cannot say on this record that franchises are illegal *per se* when extended to any theatre or circuit no matter how small. The findings do not deal with the issue doubtlessly due to the fact that any system of franchises would necessarily conflict with the system of competitive bidding adopted by the District Court. Hence we set aside the findings on franchises so that the court may examine the problem in the light of the elimination from the decree of competitive bidding.

We do not take that course in the case of formula deals and master agreements, for the findings in these instances seem to stand on their own bottom and apparently have no necessary dependency on the provision for competitive bidding.

(5) *Block-Booking.*

Block-booking is the practice of licensing, or offering for license, one feature or group of features on condition that the exhibitor will also license another feature or group of features released by the distributors during a given period. The films are licensed in blocks before they are actually produced. All the defendants, except United Artists, have engaged in the practice. Block-booking prevents competitors from bidding for single features on their individual merits. The District Court held it illegal for that reason and for the reason that it "adds to the monopoly of a single copyrighted picture that of another copyrighted picture which must be taken and exhibited in order to secure the firsts." That enlargement of the monopoly of the copyright was condemned below in reliance on the principle which forbids the owner of a patent to condition its use on the purchase or use of patented or unpatented materials. See *Ethyl Gasoline Corporation* v. *United States*, 309 U. S. 436, 459; *Morton Salt Co.* v. *Suppiger Co.*, 314 U. S. 488, 491; *Mercoid Corp.* v. *Mid-Continent Investment Co.*, 320 U. S. 661, 665. The court enjoined defendants from performing or entering into any license in which the right to exhibit one feature is conditioned upon the licensee's taking one or more other features."[11]

We approve that restriction. The copyright law, like the patent statutes, makes reward to the owner a secondary consideration. In *Fox Film Corp.* v. *Doyal*, 286 U. S. 123, 127, Chief Justice Hughes spoke as follows respecting the copyright monopoly granted by Congress. "The sole interest of the United States and the primary object in conferring the monopoly lie in the general benefits derived by the public from the labors of authors." It is said that reward to the author or artist serves to induce release to the public of the products of his creative genius. But the reward does not serve its public purpose if it is not related to the quality of the copyright. Where a high quality film greatly desired is licensed only if an inferior one is taken, the latter borrows quality from the former and strengthens its monopoly by drawing on the other. The practice tends to equalize rather than differentiate the reward for the individual copyrights. Even where all the films included in the package are of equal quality, the requirement that all be taken if one is desired increases the market for some. Each stands not on its own footing but in whole or in part on the appeal which another film may have. As the District Court said, the result is to add to the monopoly of the copyright in violation of the principle of the patent cases involving tying clauses.[12]

It is argued that *Transparent-Wrap Machine Corp.* v. *Stokes & Smith Co.*, 329 U. S. 637, points to a contrary result. That case held that the inclusion in a patent license of a condition requiring the licensee to assign improvement patents was not *per se* illegal. But that decision, confined to improvement patents, was greatly influenced by the federal statute governing assignments of patents. It therefore has no controlling significance here.

Columbia Pictures makes an earnest argument that enforcement of the restriction as to block-booking will be very distadvantageous to it and will greatly impair its ability to operate profitably. But the policy of the anti-trust laws is not qualified or conditioned by the convenience of those whose conduct is regulated. Nor can a vested interest, in a practice which contravenes the policy of the anti-trust laws, receive judicial sanction.

We do not suggest that films may not be sold in blocks or groups, when there is no requirement, express or implied, for the purchase of more than one film. All we hold to be illegal is a refusal to license one or more copyrights unless another copyright is accepted.

(6) *Discrimination.*

The District Court found that defendants had discriminated against small independent exhibitors and in favor of large affiliated and unaffiliated circuits through various kinds of contract provisions. These included suspension of the terms of a contract if a circuit theatre remained closed for more than eight weeks with reinstatement without liability on reopening; allowing large privileges in the selection and elimination of films; allowing deductions in film rentals if double bills are played; granting moveovers[13] and extended runs; granting road show privileges;[14] allowing overage and underage;[15] granting unlimited playing time; excluding foreign pictures and those of independent producers; and granting rights to question the classification of features for rental purposes. The District Court found that the competitive advantages of these provisions were so great that their inclusion in contracts with the larger circuits and their exclusion from contracts with the small independents constituted an unreasonable discrimination against the latter. Each discriminatory contract constituted a conspiracy between licensor and licensee. Hence the District Court deemed it unnecessary to decide whether the defendants had conspired among themselves to make these discriminations. No provision of the decree specifically enjoins these discriminatory practices because they were thought to be impossible under the system of competitive bidding adopted by the District Court.

These findings are amply supported by the evidence. We concur in the conclusion that these discriminatory practices are included among the restraints of trade which the Sherman Act condemns. See *Interstate Circuit* v. *United States, supra*, p. 231; *United States* v. *Crescent Amusement Co., supra*, pp. 182-183. It will be for the District Court on remand of these cases to provide effective relief against their continuance, as our elimination of the provision for competitive bidding leaves this phase of the cases unguarded.

There is some suggestion on this as well as on other phases of the cases that large exhibitors with whom defendants dealt fathered the illegal practices and forced them onto the defendants. But as the District Court observed, that circumstance if true does not help the defendants. For acquiescence in an illegal scheme is as much a violation of the Sherman Act as the creation and promotion of one.

Second—Competitive Bidding.

The District Court concluded that the only way competition could be introduced into the existing system of fixed prices, clearances and runs was to require that films be licensed on a competitive bidding basis. Films are to be offered to all exhibitors in each competitive area.[16] The license for the desired run is to be granted to the highest responsible bidder, unless the distributor rejects all offers. The licenses are to be offered and taken theatre by theatre and picture by picture. Licenses to show films in theatres, in which the licensor owns directly or indirectly an interest of ninety-five per cent or more, are excluded from the requirement for competitive bidding.

Paramount is the only one of the five majors who opposes the competitive bidding system. Columbia Pictures, Universal, and United Artists oppose it. The intervenors representing certain independents oppose it. And the Department of Justice, which apparently proposed the system originally, speaks strongly against it here.

At first blush there is much to commend the system of competitive bidding. The trade victims of this conspiracy have in large measure been the small independent operators. They are the ones that have felt most keenly the discriminatory practices and predatory activities in which defendants have freely indulged. They have been the victims of the massed purchasing power of the larger units in the industry. It is largely out of the ruins of the small operators that the large empires of exhibitors have been built. Thus it would appear to be a great boon to them to substitute open bidding for the private deals and favors on which the large operators have thrived. But after reflection we have concluded that competitive bidding involves the judiciary so deeply in the daily operation of this nation-wide business and promises such dubious benefits that it should not be undertaken.

Each film is to be licensed on a particular run to "the highest responsible bidder, having a theatre of a size, location and equipment adequate to yield a reasonable return to the licensor." The bid "shall state what run such exhibitor desires and what he is willing to pay for such feature, which statement may specify a flat rental, or a percentage of gross receipts, or both, or any other form of rental, and shall also specify what clearance such exhibitor is willing to accept, the time and days when such exhibitor desires to exhibit it, and any other offers which such exhibitor may care to make." We do not doubt that if a competitive bidding system is adopted all these provisions are necessary. For the licensing of films at auction is quite obviously a more complicated matter than the like sales for cash of tobacco, wheat, or other produce. Columbia puts these pertinent queries: "No two exhibitors are likely to make the same bid as to dates, clearance, method of

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[11]Blind-selling is a practice whereby a distributor licenses a feature before the exhibitor is afforded an opportunity to view it. To remedy the problems created by that practice the District Court included the following provision in its decree:

"To the extent that any of the features have not been trade shown prior to the granting of the license for more than a single feature, the licensee shall be given by the licensor the right to reject twenty per cent of such features not trade shown prior to the granting of the license, such right of rejection to be exercised in the order of release within ten days after there has been an opportunity afforded to the licensee to inspect the feature."

The court advanced the following as its reason for inclusion of this provision:

"Blind-selling does not apear to be as inherently restrictive of competition as block-booking, although it is capable of some abuse. By this practice a distributor could promise a picture of good quality or of a certain type which when produced might prove to be of poor quality or of another type—a competing distributor meanwhile being unable to market its product and in the end losing its outlets for future pictures. The evidence indicates that trade-shows, which are designated to prevent such blind-selling, are poorly attended by exhibitors. Accordingly, exhibitors who choose to obtain their films for exhibition in quantities, need to be protected against burdensome agreements by being given an option to reject a certain percentage of their blind-licensed pictures within a reasonable time after they shall have become available for inspection."

We approve this provision of the decree.

[12]The exclusive right granted by the Copyright Act, 35 Stat. 1075, 17 U. S. C. § 1 includes no such privilege. It provides, so far as material here, as follows: "That any person entitled thereto, upon complying with the provisions of this Act, shall have the exclusive right:

"(d) To perform or represent the copyrighted work publicly if it be a drama or, if it be a dramatic work and reproduced in copies for sale, to vend any manuscript or any record whatsoever thereof; to make or to procure the making of any transcription or record thereof by or from which, in whole or in part, it may in any manner or by any method be exhibited, performed, represented, produced, or reproduced; and to exhibit, perform, represent, produce, or reproduce it in any manner or by any method whatsoever;"

[13]A moveover is the privilege given a licensee to move a picture from one theatre to another as a continuation of the run at the licensee's first theatre.

[14]A road show is a public exhibition of a feature in a limited number of theatres, in advance of its general release, at admission prices higher than those customarily charged in first-run theatres in those areas.

[15]Underage and overage refer to the practice of using excess film rental earned in one circuit theatre to fulfill a rental commitment defaulted by another.

[16]Competitive bidding is required only in a "competitive area" where it is "desired by the exhibitors." As the District Court said, "the decree provides an opportunity to bid for any exhibitor in a competitive area who may desire to do so."

The details of the competitive bidding system will be found in 70 F. Supp. pp. 73-74.

fixing rental, etc. May bids containing such diverse factors be readily compared? May a flat rental bid be compared with a percentage bid? May the value of any percentage bid be determined unless the admission price is fixed by the license?"

The question as to who is the highest bidder involves the use of standards incapable of precise definition because the bids being compared contain different ingredients. Determining who is the most responsible bidder likewise cannot be reduced to a formula. The distributor's judgment of the character and integrity of a particular exhibitor might result in acceptance of a lower bid than others offered. Yet to prove that favoritism was shown would be well nigh impossible, unless perhaps all the exhibitors in the country were given classifications of responsibility. If, indeed, the choice between bidders is not to be entrusted to the uncontrolled discretion of the distributors, some effort to standardize the factors involved in determining "a reasonable return to the licensor" would seem necessary.

We mention these matters merely to indicate the character of the job of supervising such a competitive bidding system. It would involve the judiciary in the administration of intricate and detailed rules governing priority, period of clearance, length of run, competitive areas, reasonable return, and the like. The system would be apt to require as close a supervision as a continuous receivership, unless the defendants were to be entrusted with vast discretion. The judiciary is unsuited to affairs of business management; and control through the power of contempt is crude and clumsy and lacking in the flexibility necessary to make continuous and detailed supervision effective. Yet delegation of the management of the system to the discretion of those who had the genius to conceive the present conspiracy and to execute it with the subtlety which this record reveals, could be done only with the greatest reluctance. At least such choices should not be faced unless the need for the system is great and its benefits plain.

The system uproots business arrangements and established relationships with no apparent overall benefit to the small independent exhibitor. If each feature must go to the highest responsible bidder, those with the greatest purchasing power would seem to be in a favored position. Those with the longest purse—the exhibitor-defendants and the large circuits—would seem to stand in a preferred position. If in fact they were enabled through the competitive bidding system to take the cream of the business, eliminate the smaller independents, and thus increase their own strategic hold on the industry, they would have the cloak of the court's decree around them for protection. Hence the natural advantage which the larger and financially stronger exhibitors would seem to have in the bidding gives us pause. If a premium is placed on purchasing power, the court-created system may be a powerful factor towards increasing the concentration of economic power in the industry rather than cleansing the competitive system of unwholesome practices. For where the system in operation promises the advantage to the exhibitor who is in the strongest financial position, the injunction against discrimination[17] is apt to hold an empty promise. In this connection it should be noted that even though the independents in a given competitive area do not want competitive bidding, the exhibitor-defendants can invoke the system.

Our doubts concerning the competitive bidding system are increased by the fact that defendants who own theatres are allowed to pre-empt their own features. They thus start with an inventory which all other exhibitors lack. The latter have no prospect of assured runs except what they get by competitive bidding. The proposed system does not offset in any way the advantages which the exhibitor-defendants have by way of theatre ownership. It would seem in fact to increase them. For the independents are deprived of the stability which flows from established business relationships. Under the proposed system they can get features only if they are the highest responsible bidders. They can no longer depend on their private sources of supply which their ingenuity has created. Those sources, built perhaps on private relationships and representing important items of good will, are banned, even though they are free of any taint of illegality.

The system was designed, as some of the defendants put it, to remedy the difficulty of any theatre to break into or change the existing system of runs and clearances. But we do not see how, in practical operation, the proposed system of competitive bidding is likely to open up to competition the markets which defendants' unlawful restraints have dominated. Rather real danger seems to us to lie in the opportunities the system affords the exhibitor-defendants and the other large operators to strengthen their hold in the industry. We are reluctant to alter decrees in these cases where there is agreement with the District Court on the nature of the violations. *United States* v. *Crescent Amusement Co., supra,* p. 185; *International Salt Co.* v. *United States,* 332 U. S. 392, 400. But the provisions for competitive bidding in these cases promise little in the way of relief against the real evils of the conspiracy. They implicate the judiciary heavily in the details of business management if supervision is to be effective. They vest powerful control in the exhibitor-defendants over their competitors if close supervision by the court is not undertaken. In light of these considerations we conclude that the competitive bidding provisions of the decree should be eliminated so that a more effective decree may be fashioned.

We have already indicated in preceding parts of this opinion that this alteration in the decree leaves a hiatus or two which will have to be filled on remand of the cases. We will indicate hereafter another phase of the problem which the District Court should also reconsider in view of this alteration in the decree. But out of an abundance of caution we add this additional word. The competitive bidding system was perhaps the central arch of the decree designed by the District Court. Its elimination may affect the cases in ways other than those which we expressly mention. Hence on remand of the cases the freedom of the District Court to reconsider the adequacy of decree is not limited to those parts we have specifically indicated.

Third. Monopoly, Expansion of Theatre Holdings, Divestiture.

There is a suggestion that the hold the defendants have on the industry is so great that a problem under the First Amendment is raised. Cf. *Associated Press* v. *United States,* 326 U. S. 1. We have no doubt that moving pictures, like newspapers and radio, are included in the press whose freedom is guaranteed by the First Amendment. That issue would be focused here if we had any question concerning monopoly in the production of moving pictures. But monopoly in production was eliminated as an issue in these cases, as we have noted. The chief argument at the bar is phrased in terms of monopoly of exhibition, restraints on exhibition, and the like. Actually, the issue is even narrower than that. The main contest is over the cream of the exhibition business—that of the first-run theatres. By defining the issue so narrowly we do not intend to belittle its importance. It shows, however, that the question here is not *what* the public will see or *if* the public will be permitted to see certain features. It is clear that under the existing system the public will be denied access to none. If the public cannot see the features on the first-run, it may do so on the second, third, fourth, or later run. The central problem presented by these cases is which exhibitors get the highly profitable first-run business. That problem has important aspects under the Sherman Act. But it bears only remotely, if at all, on any question of freedom of the press, save only as timeliness of release may be a factor of importance in specific situations.

The controversy over monopoly relates to monopoly in exhibition and more particularly monopoly in the first-run phase of the exhibition business.

The five majors in 1945 had interests in somewhat over 17 per cent of the theatres in the United States—3,137 out of 18,076.[18] Those theatres paid 45 per cent of the total domestic film rental received by all eight defendants.

In the 92 cities of the country with populations over 100,000 at least 70 per cent of all the first-run theatres are affiliated with one or more of the five majors. In 4 of those cities the five majors have no theatres. In 38 of those cities there are no independent first-run theatres. In none of the remaining 50 cities did less than three of the distributor-defendants license their product on first run to theatres of the five majors. In 19 of the 50 cities less than three of the distributor-defendants licensed their product on first run to independent theatres. In a majority of the 50 cities the greater share of all of the features of defendants were licensed for first-run exhibition in the theatres of the five majors.

In about 60 per cent of the 92 cities having populations of over 100,000, independent theatres compete with those of the five majors in first-run exhibition. In about 91 per cent of the 92 cities there is competition between independent theatres and the theatres of the five majors or between theatres of the five majors themselves for first-run exhibition. In all of the 92 cities there is always competition in some run even where there is no competition in first runs.

In cities between 25,000 and 100,000 populations the five majors have interests in 577 of a total of 978 first-run theatres or about 60 per cent. In about 300 additional towns, mostly under 25,000, an operator affiliated with one of the five majors has all of the theatres in the town.

The District Court held that the five majors could not be treated collectively so as to establish claims of general monopolization in exhibition. It found that none of them was organized or had been maintained "for the purpose of achieving a national monopoly" in exhibition. It found that the five majors by their present theatre holdings "alone" (which aggregate a little more than one-sixth of all the theatres in the United States), "do not and cannot collectively or individually, have a monopoly of exhibition." The District Court also found that where a single defendant owns all of the first-run theatres in a town, there is no sufficient proof that the acquisition was for the purpose of creating a monopoly. It found rather that such consequence resulted from the inertness of competitors, their lack of financial ability to build theatres comparable to those of the five majors, or the preference of the public for the best equipped theatres. And the percentage of features on the market which any of the five majors could play in its own theatres was found to be relatively small and in nowise to approximate a monopoly of film exhibition.[19]

Even in respect of the theatres jointly owned or jointly operated by the defendants with each other or with independents the District Court found no monopoly or attempt to monopolize. Those joint agreements or ownership were found only to be unreasonable restraints of trade. The District Court, indeed, found no monopoly on any phase of the cases, although it did find an attempt to monopolize in the fixing of prices, the granting of unreasonable clearances, block-booking and the other unlawful restraints of trade we have already discussed. The "root of

[17]The competitive bidding part of the decree provides: "Each license shall be granted solely upon the merits and without discrimination in favor of affiliates, old customers or others."

[18]The theatres which each of the five majors owned independently of the others were: Paramount 1,395 or 7.72 per cent; Warner 501 or 2.77 per cent; Loew's 135 or .74 per cent; Fox 636 or 3.52 per cent; RKO 109 or .60 per cent. There were in addition 361 theatres or about 2 per cent in which two or more of the five majors had joint interests. These figures exclude connections through film-buying or management contracts or through corporations in which a defendant owns an indirect minority stock interest.

These theatres are located in 922 towns in 48 States and the District of Columbia. For further description of the distribution of theatres see Bertrand, Evans, and Blanchard, The Motion Picture Industry—A Pattern of Control 15-16 (TNEC Monograph 43, 1941).

[19](*Footnote* 19 *on page* 6).

the difficulties," according to the District Court, lay not in theatre ownership but in those unlawful practices.

The District Court did, however, enjoin the five majors from expanding their present theatre holdings in any manner.[20] It refused to grant the request of the Department of Justice for total divestiture by the five majors of their theatre holdings. It found that total divestiture would be injurious to the five majors and damaging to the public. Its thoughts on the latter score was that the new set of theatre owners who would take the place of the five majors would be unlikely for some years to give the public as good service as those they supplanted "in view of the latter's demonstrated experience and skill in operating what must be regarded as in general the largest and best equipped theatres." Divestiture was, it thought, too harsh a remedy where there was available the alternative of competitive bidding. It accordingly concluded that divestiture was unnecessary "at least until the efficiency of that system has been tried and found wanting."

It is clear, so far as the five majors are concerned, that the aim of the conspiracy was exclusionary, *i. e.* it was designed to strengthen their hold on the exhibition field. In other words, the conspiracy had monopoly in exhibition for one of its goals, as the District Court held. Price, clearance, and run are interdependent. The clearance and run provisions of the licenses fixed the relative playing positions of all theatres in a certain area; the minimum price provisions were based on playing position—the first-run theatres being required to charge the highest prices, the second-run theatres the next highest, and so on. As the District Court found, "In effect, the distributor, by the fixing of minimum admission prices, attempts to give the prior-run exhibitors as near a monopoly of the patronage as possible."

It is, therefore, not enough in determining the need for divestiture to conclude with the District Court that none of the defendants was organized or has been maintained for the purpose of achieving a "national monopoly," nor that the five majors through their present theatre holdings "alone" do not and cannot collectively or individually have a monopoly of exhibition. For when the starting point is a conspiracy to effect a monopoly through restraints of trade, it is relevant to determine what the results of the conspiracy were even if they fell short of monopoly.

An example will illustrate the problem. In the popular sense there is a monopoly if one person owns the only theatre in town. That usually does not, however, constitute a violation of the Sherman Act. But as we noted in *United States* v. *Griffith, ante*, p. —, and see *Schine Chain Theatres, Inc.* v. *United States, ante*, p. —, even such an ownership is vulnerable in a suit by the United States under the Sherman Act if the property was acquired, or its strategic position maintained, as a result of practices which constitute unreasonable restraints of trade. Otherwise, there would be reward from the conspiracy through retention of its fruits. Hence the problem of the District Court does not end with enjoining continuance of the unlawful restraints nor with dissolving the combination which launched the conspiracy. Its function includes undoing what the conspiracy achieved. As we have discussed in *Schine Chain Theatres, Inc.* v. *United States, ante*, p. —, the requirement that the defendants restore what they unlawfully obtained is no more punishment than the familiar remedy of restitution. What findings would be warranted after such an inquiry in the present cases, we do not know. For the findings of the District Court do not cover this point beyond stating that monopoly was an objective of the several restraints of trade that stand condemned.

Moreover, the problem under the Sherman Act is not solved merely by measuring monopoly in terms of size or extent of holdings or by concluding that single ownerships were not obtained "for the purpose of achieving a national monopoly." It is the relationship of the unreasonable restraints of trade to the position of the defendants in the exhibition field (and more particularly in the first-run phase of that business) that is of first importance on the divestiture phase of these cases. That is the position we have taken in *Schine Chain Theatres, Inc.* v. *United States, ante*, p. —, in dealing with a projection of the same conspiracy through certain large circuits. Parity of treatment of the unaffiliated and the affiliated circuits requires the same approach here. For the fruits of the conspiracy which are denied the independents must also be denied the five majors. In this connection there is a suggestion that one result of the conspiracy was a geographical division of territory among the five majors. We mention it not to intimate that it is true but only to indicate the appropriate extent of the inquiry concerning the effect of the conspiracy in theatre ownership by the five majors.

The findings of the District Court are deficient on that score and obscure on another. The District Court in its findings speaks of the absence of a "purpose" on the part of any of the five majors to achieve a "national monopoly" in the exhibition of motion pictures. First, there is no finding as to the presence or absence of monopoly on the part of the five majors in the *first-run* field for the entire country, in the *first-run* field in the 92 largest cities of the country, or in the *first-run* field in separate localities. Yet the *first-run* field, which constitutes the cream of the exhibition business, is the core of the present cases. Section 1 of the Sherman Act outlaws unreasonable restraints irrespective of the amount of trade or commerce involved (*United States* v. *Socony-Vacuum Oil Co.*, 310 U. S. 150, 224, 225, n. 59), and § 2 condemns monopoly of "any part" of trade or commerce. "Any part" is construed to mean an appreciable part of interstate or foreign trade or commerce. *United States* v. *Yellow Cab Co.*, 332 U. S. 218, 225. Second, we pointed out in *United States v. Griffith, ante* p. —, that "specific intent" is not necessary to establish a "purpose or intent" to create a monopoly but that the requisite "purpose or intent" is present if monopoly results as a necessary consequence of what was done. The findings of the District Court on this phase of the cases are not clear, though we take them to mean by the absence of "purpose" the absence of a specific intent. So construed they are inconclusive. In any event they are ambiguous and must be recast on remand of the cases. Third, monopoly power, whether lawfully or unlawfully acquired, may violate § 2 of the Sherman Act though it remains unexercised (*United States* v. *Griffith, ante*, p. —), for as we stated in *American Tobacco Co.* v. *United States*, 328 U. S. 781, 809, 811, the existence of power "to exclude competition when it is desired to do so" is itself a violation of § 2, provided it is coupled with the purpose or intent to exercise that power. The District Court, being primarily concerned with the number and extent of the theatre holdings of defendants, did not address itself to this phase of the monopoly problem. Here also, parity of treatment as between independents and the five majors as theatre owners, who were tied into the same geenral conspiracy, necessitates consideration of this question.

Exploration of these phases of the cases would not be necessary if, as the Department of Justice argues, vertical integration of producing, distributing and exhibiting motion pictures is illegal *per se*. But the majority of the Court does not take that view. In the opinion of the majority the legality of vertical integration under the Sherman Act turns on (1) the purpose or intent with which it was conceived, or (2) the power it creates and the attendant purpose or intent. First, it runs afoul of the Sherman Act if it was a calculated scheme to gain control over an appreciable segment of the market and to restrain or suppress competition, rather than an expansion to meet legitimate business needs. *United States* v. *Reading Co.*, 253 U. S. 26, 57; *United States* v. *Lehigh Valley R. Co.*, 254 U. S. 255, 269-270. Second, a vertically integrated enterprise, like other aggregations of business units (*United States* v. *Aluminum Co. of America*, 148 F. 2d 416), will constitute monopoly which, though unexercised, violates the Sherman Act provided a power to exclude competition is coupled with a purpose or intent to do so. As we pointed out in *United States* v. *Griffith, ante*, p. —, n. 10, size is itself an earmark of monopoly power. For size carries with it an opportunity for abuse. And the fact that the power created by size was utilized in the past to crush or prevent competition is potent evidence that the requisite purpose or intent attends the presence of monopoly power. See *United States* v. *Swift & Co.*, 286 U. S. 106, 116; *United States* v. *Aluminum Co. of America, supra*, p. 430. Likewise bearing on the question whether monopoly power is created by the vertical integration, is the nature of the market to be served (*United States* v. *Aluminum Co. of America, supra*, p. 430, and the leverage on the market which the particular vertical integration creates or makes possible.

These matters were not considered by the District Court. For that reason, as well as the others we have mentioned, the findings on monopoly and divestiture which we have discussed in this part of the opinion will be set aside. There is an independent reason for doing that. As we have seen, the District Court considered competitive bidding as an alternative to divestiture in the sense that it concluded that further consideration of divestiture should not be had until competitive bidding had been tried and found wanting. Since we eliminate from the decree the provisions for competitive bidding, it is necessary to set aside the findings on divestiture so that a new start on this phase of the cases may be made on their remand.

It follows that the provision of the decree barring the five majors from further theatre expansion should likewise be eliminated. For it too is related to the monopoly question; and the District Court should be allowed to make an entirely fresh start on the whole of the problem. We in no way intimate, however, that the District Court erred in prohibiting further theatre expansion by the five majors.

The Department of Justice maintains that if total divestiture is denied, licensing of films among the five majors should be barred. As a permanent requirement it would seem to be only an indirect way of forcing divestiture. For the findings reveal that the theatres of the five majors could not operate their theatres full time on their own films.[21] Whether that step would, in absence of competitive bidding, serve as a short range remedy in certain situations to dissipate the effects of the conspiracy (*United States* v. *Univis Lens Co.*, 316 U. S. 241, 254; *United States* v. *Bausch & Lomb Co., supra*, p. 724; *United States* v. *Crescent Amusement Co., supra*, p. 188) is a question for the District Court.

Fourth.

The consent decree created an arbitration system which had, in the view of the District Court, proved useful in its operation. The court indeed thought that the arbitration system had dealt with the problems of clearances and

[19]The number of feature films released during the 1943-44 season by the eleven largest distributors is as follows:

	No. of Films	Percentages of Total With 'Westerns' included	Percentages of Total With 'Westerns' excluded
Fox	33	8.31	9.85
Loew's	33	8.31	9.85
Paramount	31	7.81	9.25
RKO	38	9.57	11.34
Warner	19	4.79	5.67
Columbia	41	10.32	12.24
United Artists	16	4.04	4.78
Universal	49	12.34	14.63
Republic	—29 features 30 'Westerns'	14.86	8.66
Monogram	26 features 16 'Westerns'	10.58	7.76
PRC	—20 features —16 'Westerns'	9.07	5.97
Totals	397 335 without 'Westerns'	100.00	100.00

[20]Excepted from this prohibition was the acquisition of interests in theatres jointly owned, a matter we have discussed in a preceding portion of this opinion.

[21]The District Court found, "Except for a very limited number of theatres in the very largest cities, the 18,000 and more theatres in the United States exhibit the product of more than one distributor. Such theatres could not be operated on the product of only one distributor."

runs "with rare efficiency." But it did not think it had the power to continue an arbitration system which would be binding on the parties, since the consent decree did not bind the defendants who had not consented to it and since the government, acting pursuant to the powers reserved under the consent decree, moved for trial of the issues charged in the complaint. The District Court recommended, however, that some such system be continued. But it included no such provision in its decree.

We agree that the government did not consent to a permanent system of arbitration under the consent decree and that the District Court has no power to force or require parties to submit to arbitration in lieu of the remedies afforded by Congress for enforcing the anti-trust laws. But the District Court has the power to authorize the maintenance of such a system by those parties who consent and to provide the rules and procedure under which it is to operate. The use of the system would not, of course, be mandatory. It would be merely an auxiliary enforcement procedure, barring no one from the use of other remedies the law affords for violations either of the Sherman Act or of the decree of the court. Whether such a system of arbitartion should be inaugurated is for the discretion of the District Court.

Fifth—Intervention.

Certain associations of exhibitors and a number of independent exhibitors, appellant-intervenors in Nos. 85 and 86, were denied leave to intervene in the District Court. They appeal from those orders. They also filed original motions for leave to intervene in this Court. We postponed consideration of the original motions and of our jurisdiction to hear the appeals until a hearing on the merits of the cases.

Rule 24 (a) of the Rules of Civil Procedure, which provides for intervention as of right, reads in part as follows: "Upon timely application anyone shall be permitted to intervene in an action: . . . (2) when the representation of the applicant's interest by existing parties is or may be inadequate and the applicant is or may be found by a judgment in the action."

The complaint of the intervenors was directed towards the system of competitive bidding. The Department of Justice is the representative of the public in these anti-trust suits. So far as the protection of the public interest in free competition is concerned, the interests of those intervenors was adequately represented. The intervenors, however, claim that the system of competitive bidding would have operated prejudicially to their rights. Cf. *United States* v. *St. Louis Terminal*, 236 U. S. 194, 199. Their argument is that the plan of competitive bidding under the control of the defendants would be a concert of action that would be illegal but for the decree. If pursuant to the decree defendants acted under that plan, they would gain immunity from any liability under the anti-trust laws which otherwise they might have to the intervenors. Thus, it is argued, the decree would affect their legal rights and be binding on them. The representation of their interests by the Department of Justice on that score was said to be inadequate since that agency proposed the idea of competitive bidding in the District Court.

We need not consider the merits of that argument. Even if we assume that the intervenors are correct in their position, intervention should be denied here and the orders of the District Court denying leave to intervene must be affirmed. Now that the provisions for competitive bidding have been eliminated from the decree there is no basis for saying that the decree affects their legal rights. Whatever may have been the situation below, no other reason appears why at this stage their intervention is warranted. Any justification for making them parties has disappeared.

The judgment in these cases is affirmed in part and reversed in part, and the cases are remanded to the District Court for proceedings in conformity with this opinion.

So ordered.

MR. JUSTICE JACKSON took no part in the consideration or decision of these cases.

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Clark Sees 'Good Chance' Of Complete Divorcement

Attorney General Says Government Will Introduce Little New Evidence in Lower Court; Holds First-Run Domination Proved

By J. A. OTTEN

WASHINGTON, May 4.—Attorney General Tom Clark said today that he thought the Government had "a very good chance" of getting complete divorcement of the majors' theatre holdings as a result of yesterday's Supreme Court decision.

Clark, who declared "There's no doubt that we won yesterday," said he believed the "very least" the Government would get in the future lower court proceedings would be partial divorcement, plus a ban on cross-licensing.

The Attorney General, who opened the Government's argument in the Paramount case before the high court early this year, said the Justice Department's argument when the case is reopened in New York would follow much the same lines that it did in the Supreme Court debate.

"The only thing the Government lost yesterday," Clark said, "is time—the months it will take us to get another decision in the lower court and another Supreme Court ruling. But even that shouldn't take too long. We have a three-judge court in New York and can bring the case right back there for action."

Clark indicated the Government would not need to introduce much, if any, new evidence in the lower court,

(*Continued on page 3*)

Industry Sees Long Days in Court Ahead

Few Agree on Decision's Meaning Beyond That

Consensus of opinion in home offices following first perusals yesterday of Monday's Supreme Court decision in the industry anti-trust case was that many more months, perhaps years, may be spent in the courts before the case of U. S. vs. Paramount is finally resolved.

Executive and legal comments were sparse, virtually all asserting that the decision still is under study and conclusions may not be arrived at for days. However, while the attitude was one of serious concern among major company executives, there was no indication of despair or dejection.

The most common attitude encountered among the defendants was that expressed by an attorney for one of them who said: "There is little in the decision to give anyone much comfort."

Most top executives were closeted almost all day with their counsel and associates, studying and seeking interpretations of the decision. It was reported, too, that Eric Johnston, president of the Motion Picture Association, was briefed in the implications

(*Continued on page 2*)

Goldwyn: Ruling to Aid Independents

HOLLYWOOD, May 4.—Asserting that the Supreme Court decision in the Paramount *et al* case "will be a major assistance in the process of eliminating illegal tactics of exhibition monopolies which have been drying up the well of motion picture production," Samuel Goldwyn today declared that "divorcement is only one part of a many-sided situation."

"It will be necessary to see to it that when divorcement comes it will mean more than just the transfer of circuit control from one set of hands to another," he maintained.

The decision by the Supreme Court, Goldwyn said, clearly recognized that

(*Continued on page 3*)

Financing Available For Independents, Banks Tell SIMPP

HOLLYWOOD, May 4.—Quashing "unfair and unfounded" reports that banks have stopped advancing loans to independent film producers, the Bank of America, Security-First National and the California Bank have issued a joint statement in conjunction with the Society of Independent Motion Picture Producers, declaring that "ample credit" is available to "all independents with good box-office properties and recognized production ability."

Issuance of the statement is the result of a series of conferences held by

(*Continued on page 8*)

Trumbo Trial May Conclude Today

WASHINGTON, May 4.—The trial of Dalton Trumbo for contempt of Congress probably will wind up here tomorrow.

After both sides rested late today, Assistant U. S. Attorney William Hitz requested 20 minutes for his closing address to the jury. Defense attorneys Robert Kenny and Charles Houston asked for two hours, and were allotted one hour and fifteen minutes by Federal Judge David A. Pine.

The defense failed in efforts to elicit

(*Continued on page 3*)

To Tell Industry's Story to 10 Millions

Furthering the industry's public goodwill promotional campaign, today's story of America's motion picture business will be told to over 10,000,000 women in special programs covering a series of national conventions extending through May and arranged by the Motion Picture Association of America.

Eric Johnston, MPAA president,

(*Continued on page 8*)

Myers Says Decision Means Divestiture

WASHINGTON, May 4.—Allied States general counsel Abram F. Myers today hailed Monday's Supreme Court decisions as "breaking the back of the motion picture trust for all time."

"The opinions plainly indicate," Myers said in a bulletin to Allied members, "that the Supreme Court felt that the Paramount, Schine and Griffith cases revealed flagrant violations of the Sherman Anti-Trust Act and that its main concern was that legally proper findings be made by the lower courts upon which to enter the drastic decrees of divestiture."

Moreover, Myers said, the court's decision not to review the Goldman case "made final one of the most drastic judgments ever entered in a private action under the anti-trust laws and cleared the way for all independent

(*Continued on page 3*)

Decision to Fore at N. E. Allied Meet

BOSTON, May 4.—Discussion of the Supreme Court decision in the industry anti-trust suit completely dominated the attention of Allied States leaders and most of the delegates to the Independent Theatre Owners of New England and convention here today.

Abram Myers, Allied States chair-

(*Continued on page 3*)

Arnold Sees Decision As an ATA 'Victory'

WASHINGTON, May 4.—Thurman Arnold, counsel for the now defunct American Theatres Association in opposing competitive bidding provisions of the New York court decree, said today he regards the Supreme Court decision as "a complete victory for ATA." He refused to expand this comment.

ATA sought to intervene in the case and the Supreme Court denied its petition. However, it carried its arguments against competitive bidding to the Supreme Court and the latter's decision ends that method of film selling.

S.R.O.'s "Intermezzo" Ingrid Bergman at her best!

Personal Mention

LOUIS B. MAYER, M-G-M production head, who returned here yesterday from Washington, will leave for the Coast today accompanied by HOWARD STRICKLING, studio publicity head.

•

HENRY L. NATHANSON, president of M-G-M of Canada; TED GOULD, general sales manager, and DEWEY BLOOM, exploitation representative, arrived in New York yesterday from Toronto.

•

ARNOLD PRESSBURGER, ROBERT E. SHERWOOD, MARJORIE REYNOLDS and MADY CHRISTIANS will arrive in New York today from Europe on the *SS Queen Mary*.

•

CAROL BRANDT, head of M-G-M's Eastern editorial department, will leave here tomorrow by plane for the Coast.

•

JACQUES CHABRIER and ROBERT GUILLEMARD, Pathe Cinema executive, will leave New York today for the Coast.

•

LANA TURNER and her husband, BOB TOPPING, and LADY MENDL will sail from New York today on the *SS Mauretania* for Europe.

•

TED GAMBLE, Theatre Owners of America president, and ROBERT W. COYNE, executive director, will return to New York tomorrow from Atlanta.

•

MAURY ORR, United Artists Western sales manager, left here yesterday for a two-week tour of his territory.

•

DAN TRIESTER, Warner theatre department executive, is due back in New York Friday from Pittsburgh.

•

WILLIAM CAGNEY, United Artists producer, is due in town on Friday from the Coast.

•

GINGER ROGERS and JEANNE CAGNEY are here from the Coast.

Decisions Hailed On Senate Floor

Washington, May 4.—Monday's Supreme Court decisions in the motion picture cases were hailed on the Senate floor today as smashing Government victories by Senators Langer of North Dakota and O'Mahoney of Wyoming.

Langer said the rulings should go far toward breaking up the largest affiliated theatre circuits and wiping out forever combinations between producers or distributors and theatre owners. The Senator also inserted the full text of the Schine case decision into the *Congressional Record*.

Industry Sees

(*Continued from page 1*)

of the decision by attorneys in New York yesterday, along with his executive assistant, Joyce O'Hara.

However, when asked for Johnston's comment on the decision, an MPAA spokesman replied: "There will be no comment. It is not considered an MPAA matter."

Diverse Interpretations Given

There were almost as many interpretations of the decision as individuals questioned. All agreed that the Supreme Court had found vertical operations, ownership of theatres by producers-distributors, to be legal if such theatres had been legally acquired and had not been used illegally. But there was no unanimity on whether the court is asking the lower court for divorcement of some theatres, merely wanting the latter to decide which theatres should be divorced.

Those who insisted that such was the case predict a long-drawn out court battle, asserting that it is obvious that no company would agree by stipulation with the Government that its theatres were acquired or used illegally. These contended that the Government would have to come into court and prove each such illegal taint, circuit by circuit or, even, theatre by theatre.

See Extended Legal Process

Others, holding to the view that the remaining court processes will be long-drawn out, pointed not only to that possibility but also to the fact that because of the recent death of Federal Judge John Bright, the three-judge statutory court which wrote the decree no longer exists. They see in this the possibility that a single judge may hear the case or that it may be referred to a special master. Others, however, believe the three-judge court would be reconstituted by appointment of a replacement for Judge Bright and that the case would go directly back to the Supreme Court, rather than through the Circuit Court of Appeals, after its conclusion here.

There was wider agreement among New York attorneys as to the decision's meaning with respect to trade practices. All conceded that price-fixing in any form, including road shows or advanced admission policies, were done for, not only insofar as defendants are concerned but all others, too.

May Devise New Sales System

They were agreed, naturally, that competitive bidding is dead, but some thought the decision leaves the door open to the lower court to concoct some new selling system of its own devising, which might prove equally unpopular with exhibitors. They are agreed that pictures can be sold once more in blocks or groups but with the added danger of being without guidance as to "competitive" or non-discriminatory methods.

They are agreed that under any form of divestiture which may result, the New York court's provision for purchase of 95 per cent or more of a partnership theatres' ownership, where less than 95 per cent and more than five per cent is held originally, is out. This would appear to dissipate Paramount's preparations for acquiring interests of its theatre partners, in the pursuit of which it has purchased over a long period approximately $20,000,000 of its own stock and has large bank credits outstanding which could have been applied to such purpose.

While technically defendants have the right to apply to the Supreme Court for a rehearing of the case, there appeared to be little probability that such a petition would be made and even less that it would be granted.

No conclusions on the future of industry arbitration were available yesterday. Even the American Arbitration Association said it was awaiting opinions from its own counsel, the Department of Justice and company attorneys as to whether or not it can continue to accept cases and proceed with those pending.

Sees Decision Ten Years Behind Time

Oklahoma City, May 4.—Henry Giffing, Griffith Circuit executive here, says he thinks the Supreme Court order in the case involving the company's 200 theatres in Oklahoma, Texas and New Mexico will "call for an end to practices abandoned by the industry 10 years ago." Giffing referred to the decision of Monday in the Government's anti-trust suit vs. the company. The high court sent the case back to Federal Court here for new hearings on monopoly and theatre divestiture.

Stocks Dip Mildly Following Decision

Stocks of the defendant companies in the industry anti-trust suit dropped moderately yesterday following Monday's Supreme Court ruling. When the New York Stock Exchange closed losses ranged from a quarter of a point for 20th-Fox preferred to 1⅞ for the same company's common.

Columbia common closed at 10⅝, having lost 1¼ points. Loew's stock was off one point, closing at 17⅞. A drop of 1⅝ points was noted in Paramount common, which closed at 22¼.

RKO lost five-eighths of a point, closing at 8⅜. Twentieth-Fox common closed at 21¾, off 1⅞, and the preferred closed at 35, down one-quarter point.

Universal preferred showed no loss, closing at 67, but Universal common lost three-eighths of a point to close at 13½. Warners common went down to 11¼, losing 1¼ points.

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Newsreel Parade

GENERAL EISENHOWER taking leave of the Army, May Day celebrations around the world, and the Kentucky Derby are highlights in current newsreels. Items in assorted fields of interest round out the subjects. Complete contents follow:

MOVIETONE NEWS, No. 36—D[illegible] D. Eisenhower holds press conferen[illegible] Columbia University. New York's lo[illegible] parade. General MacArthur encourages Christianity in Japan. Burned-out city of Laramie helped by show staged by Hollywood stars. Fashions in gold. Citation wins Kentucky Derby.

NEWS OF THE DAY, No. 270—Palestine report. Army bids goodbye to "Ike." May Day around the world: Berlin, Paris, Tokyo, New York. Apple blossom time in Dixie. The Kentucky Derby.

PARAMOUNT NEWS, No. 73—Apple blossom time. General Eisenhower takes leave of the Army. May Day around the globe. Kentucky Derby.

UNIVERSAL NEWSREEL, No. 140—Red demonstrations overshadowed in Oslo, Copenhagen, Tokyo and New York May Day celebrations. General Eisenhower takes over presidency of Columbia. Citation wins Kentucky Derby.

WARNER PATHE NEWS, No. 75—General Eisenhower leaves the Army. Europe hails new U. S. aid. Bus village for Tokyo homeless. Chimps in the news. Kentucky Derby.

Cukor in Vanguard Of Unit to London

First of M-G-M's studio contingent to leave here for England to start production on "Edward My Son" will be George Cukor, director, who is slated to sail Saturday on the *S.S. Queen Mary*.

Edwin Knopf, producer, will sail May 14 on the *Queen Elizabeth*. Spencer Tracy and Howard Strickling sail May 22 on the *Queen Mary*. Included in their party will be Deborah Kerr, who will be starred with Tracy, and her husband, Tony Bartley.

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Clark Sees

(*Continued from page* 1)

but could argue on the existing record plus the Supreme Court's decision.

"I don't see how, on the basis of the record and yesterday's decision, the lower court can find anything but a monopoly in at least the 92 larger cities," Clark said.

Forecasts 'Very Good Judgment'

"We have shown they have complete domination in 11 states, 92 cities, and practically all the first-run field, which the court said was the core of the matter. The Supreme Court said the District Court must consider all of these facts in determining whether the majors have a monopoly and their theatres must be divested. With the opinions yesterday and the facts we have presented, we should be able to get a very good judgment in the lower court this time."

Clark pointed out that the high court had specifically set aside the District Court's findings that a monopoly had not been proven and that the facts did not warrant divestiture, and had also thrown out competitive bidding, which "only one major was against and all the others were for."

25-Day Lull Before Court Battle Can Be Resumed

WASHINGTON, May 4.—It will be at least a month before there are any further proceedings in the New York District Court on the Paramount case.

The high court must wait 25 days after a decision for possible rehearing of petitions before sending its mandate down the ladder. It takes several more days before the mandate actually gets into the mails and delivered to the District Court.

In the meantime, the letter of the law says the Supreme Court stay of the District Court decree remains in effect although, practically, there is now no decree in existence.

No Time-table Set Up Yet

As soon as the New York District Court receives the Supreme Court mandate, it will issue a new order affirming those sections upheld by the Supreme Court, throwing out those sections set aside by the high court, and generally carrying out the Supreme Court decision.

Shortly after that, someone—presumably the Government—will ask for further hearings on the issues remanded by the Supreme Court. Justice officials said they had no time-table set up yet, no idea of what would be in their petition, no nothing. "About the only thing you can safely say at this point," said Justice Attorney Robert Wright, "is that there will be further proceedings."

Clark Appears in Juvenile Short

WASHINGTON, May 4.—Attorney General Tom Clark and other officials in the Attorney General's campaign against juvenile delinquency went before motion picture cameras today to make scenes in RKO-Pathe's two-reel "Report for Action," short subject suggesting a community action program to combat teen-age crime. Scenes were shot at the Justice Department.

Myers Says

(*Continued from page* 1)

exhibitors who have suffered from the depredations of the motion picture trust to prove and collect treble damages."

Myers said the court's opinions pointed to "divestiture in a big way," and constituted a "virtual mandate to the District Court to break up the first-run monopoly. And in this," he stressed, "there is no distinction between wholly-owned and partly-owned theatres."

The Allied official said that the "strongest provision" of the Supreme Court's ruling is the section requiring divorcement of theatres owned jointly with independents, even where the theatre is innocently acquired, "if the joint ownership is an alliance with one who is or would be a theatre operator but for the joint ownership."

"Now this can only mean," Myers added, "that in all cases of joint ownership, where the independent partner is a theatre operator or, but for the affiliation, would be a theatre operator, there must be divorcement regardless of any other factors.

"I need not stress the effect of this on the great Paramount circuit where many of the theatres—perhaps most—are actually operated by independent partners. As I read this part of the opinion, I can only conclude that Paramount's theatre empire is doomed—and the same goes for a large part of the Fox theatre holdings. And in these cases, most of them at least, the defendants supplied the basis for the necessary findings to insure divorcement by the testimony of their own circuit heads. By emphasizing the decentralization of control, defendants put their heads in a noose."

Myers, who was instrumental in getting the Government to start the suit 10 years ago, said the court would allow the defendants to retain only those theatres which "involve no more than innocent investments by those who are not actual or potential operators."

It was hoped, Myers stated, that the Supreme Court would prescribe in detail the final decrees in each case, but since it determined the original findings "erroneous, incomplete and vague, it followed the traditional procedure of returning the cases to the lower courts for the making of proper findings and the formulation and entry of effective decrees based thereon."

At the same time Myers warned that the defendant-exhibitors may attempt to prolong the time it will take for the district courts to enlarge their findings and enter effective decrees, although he admitted that the procedure normally would entail delay.

MPTOA, ATA Died With Court Decision

With the handing down of the U. S. Supreme Court decision in the Government anti-trust suit against the industry last Monday, both the Motion Picture Theatre Owners of America and the American Theatres Association officially passed out of existence.

The two, now consolidated in Theatre Owners of America, retained their identities for the purpose of opposing competitive bidding provisions of the New York court decree, by *amicus curiae* and intervention, respectively, with the stipulation that they would cease to exist when the Supreme Court made its decision. Both are defunct now, Herman Levy, TOA counsel, confirmed yesterday.

Goldwyn

(*Continued from page* 1)

a monopoly is exercised by the majors in "their control of the first-run field." "For many years those of us who have had the best interests of the entire industry at heart have insisted this roadblock had to be removed in order to restore the competitive market in exhibition," he added.

Decision Delays Schenck's Plans

Hollywood, May 4.—Joseph Schenck said he will make no decision on his resigning from 20th Century-Fox pending further developments in the Government anti-trust suit vs. the industry. Schenck had been reported planning to resign to devote himself to his theatre interests, among them the U. A. Theatres Circuit, depending upon a decision concerning disposition of theatre divestiture by the majors.

Ga. Exhibitors Find Decision 'Favorable'

ATLANTA, May 4.—The Supreme Court ruling in the Government's anti-trust suit won a generally favorable reception here today at the closing session of the first annual convention of the Motion Picture Theatre Owners and Operators of Georgia which was held at the Henry Grady Hotel.

Speakers at today's session were R. B. Wilby, W. M. Snelson, J. T. Reed and Terry Ramsaye, editor of *Motion Picture Herald.*

Officers for the year, including J. H. Thompson who was reelected as president, were installed tonight. They are: O. C. Lam, Nat Williams and J. S. Tankersley, vice-presidents; E. D. Martin, treasurer, and Ward Riggins, J. S. Tankersley and W. M. Snelson as district chairmen.

Trumbo Trial

(*Continued from page* 1)

information concerning Trumbo's screenplays from M-G-M's Louis B. Mayer and Richard Griffith, executive director of the National Board of Review.

Mayer was allowed to testify to little more than his name, his occupation, and the fact that Trumbo was employed by M-G-M at the time of the Un-American Activities hearings on Communist infiltration into the motion picture industry.

The court also refused to allow presentation of Trumbo's scripts by MPAA attorney Gerard Cahill.

Only point won by the defense was permission to ask committee investigator Robert E. Stripling whether Trumbo had been allowed to cross-examine witnesses who testified during the hearings that he was a Communist. Stripling said he was denied that privilege. This was later repeated by committee member Richard B. Vail (R., Ill.).

Two defense motions for a directed verdict of acquittal were turned down by Judge Pine.

N. E. Allied Meet

(*Continued from page* 1)

man and general counsel, relayed details of the decision here by telephone from Washington and is scheduled to give his interpretation of it to the convention personally tomorrow.

Meanwhile, W. L. Ainsworth, Allied States president, who is attending the convention, said the decision, in its treatment of divorcement, appeared to him to be an extension of wearying legal wrangling and that it administered a spanking to the lower court.

Await Myers Arrival

Divorcement is still what Allied seeks, Ainsworth said, pointing out, however, that Myers' considered opinion will represent Allied sentiment. The convention hopes to learn what the decision means after Myers arrives.

Dr. J. B. Fishman said, "It looks to me like a lot more litigation. It settles nothing. The fact that the court says divorce is desirable doesn't mean that it will come about. The lower court is told to change its mind. Then there's an appeal. It goes again to the Supreme Court. Then what happens? It'll take five years or more. I might not be in business by then."

'Victory' vs. 'Confusion'

Irving Dollinger said: "Seems to me it's a victory for us. I think the court has said there should be divorcement and has told the lower court to get at the facts. Of course it will mean delay."

Leslie Bendslev, I.E.N.E. treasurer, said: "I think the result is just more confusion. Lawyers are going to study this and it's their field day."

Dan Murphy, I.E.N.E. president, said: "It seems to me the Supreme Court could have come through with a clean cut decision."

Berger, Kane Are 'Disappointed'; Paramount Affiliate to Build

MINNEAPOLIS, May 4.—North Central Allied president Ben Berger said today the Supreme Court's action in ordering the divorcement issue in the Government's anti-trust suit back to the lower courts for further study was "a great disappointment."

At the same time, NCA executive director Stanley Kane stated that "it would seem divorcement will have to come through the court of last resort—the U. S. Congress and state legislatures." He said he was "digging up" an old North Dakota divorcement law which passed through one legislature, only to be repealed before it could be made effective. Both NCA executives indicated that they will continue to press for divorcement.

At the same time, Harry French, president of the Minnesota Amusement Co., said that while he lacked full knowledge of the decision it "looked encouraging" for the Paramount affiliate to proceed with building some new theatres to replace structures now in a deplorable condition.

Apollo on Two-Week Run

CHICAGO, May 4.—First film to play the B. and K. Apollo under the two-week maximum Loop run imposed by the Jackson Park decree is J. Arthur Rank's "The Overlanders," released by U-I. The picture will open Friday following the 26-week run of "Gentleman's Agreement."

"SUN SHINES ON M-G-M"
—says FILM BULLETIN

"Everything is on the upswing at M-G-M!" —*says* HOLLYWOOD REPORTER

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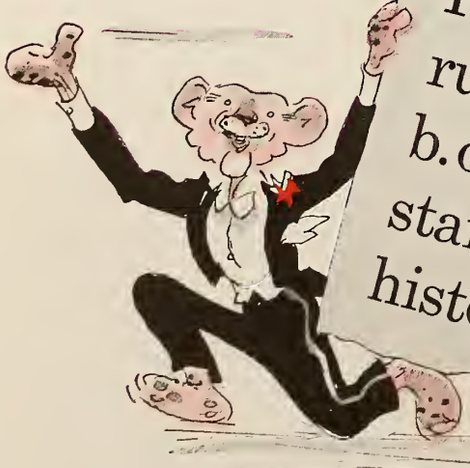
Pix Stars for B.O. Fireworks!

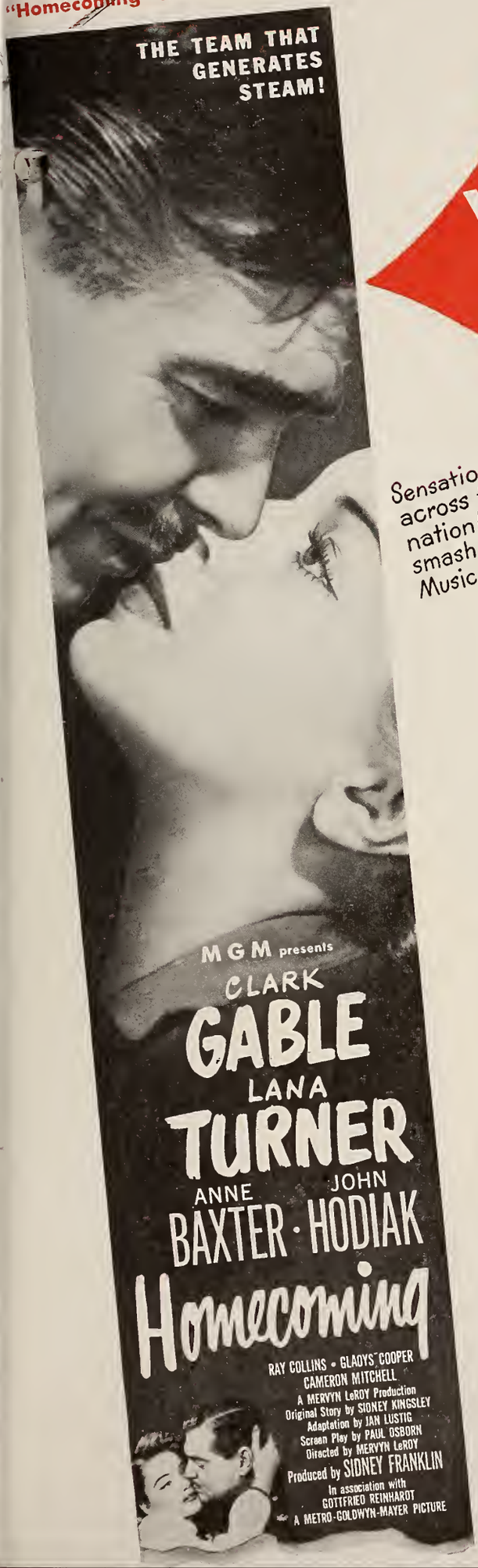
M-G-M PACES LIST OF TOP-NAMERS!

Paced by Metro, studios are rushing to aid the sagging b.o. with the biggest array of star-studded pix in Hollywood history. Metro is leading!"



EVERY M·G·M CAPITOL RECORD BROKEN!!!

"Homecoming" will soon electrify all America!



VITAMIN M-G-M PEPS UP THE INDUSTRY!

Oh! What a Line-up!

Sensation across the nation! 3rd smash week at Music Hall!

APRIL 29

SPENCER TRACY, KATHARINE HEPBURN, VAN JOHNSON, Angela Lansbury, Adolphe Menjou, Lewis Stone in Frank Capra's "STATE OF THE UNION."

MAY 20

"SUMMER HOLIDAY" *in Technicolor.* MICKEY ROONEY, GLORIA DeHAVEN, Walter Huston, Frank Morgan, Butch Jenkins, Marilyn Maxwell, Agnes Moorehead, Selena Royle.

MAY 27

CLARK GABLE, LANA TURNER, Anne Baxter, John Hodiak in "HOMECOMING" Ray Collins, Gladys Cooper, Cameron Mitchell.

JUNE 3

"BIG CITY" MARGARET O'BRIEN, Robert Preston, Danny Thomas, George Murphy, Karin Booth, Edward Arnold, Butch Jenkins, Betty Garrett, Lotte Lehmann.

JUNE 10

JUDY GARLAND, GENE KELLY in "THE PIRATE" *in Technicolor.* Walter Slezak, Gladys Cooper, Reginald Owen.

JUNE 24

"ON AN ISLAND WITH YOU" *in Technicolor.* ESTHER WILLIAMS, PETER LAWFORD, RICARDO MONTALBAN, JIMMY DURANTE, CYD CHARISSE, XAVIER CUGAT.

JULY 8

Irving Berlin's "EASTER PARADE" *in Technicolor.* Starring JUDY GARLAND, FRED ASTAIRE, PETER LAWFORD, ANN MILLER.

JULY 29

"A DATE WITH JUDY" *in Technicolor.* WALLACE BEERY, JANE POWELL, ELIZABETH TAYLOR, CARMEN MIRANDA, XAVIER CUGAT, ROBERT STACK.

AUGUST 5

GREER GARSON, WALTER PIDGEON in "JULIA MISBEHAVES" PETER LAWFORD, ELIZABETH TAYLOR, CESAR ROMERO, Lucile Watson, Nigel Bruce, Mary Boland, Reginald Owen.

AUGUST 12

RED SKELTON, BRIAN DONLEVY in "A SOUTHERN YANKEE" Arlene Dahl, George Coulouris, Lloyd Gough, John Ireland, Minor Watson.

SEPTEMBER

"THE THREE MUSKETEERS" *in Technicolor.* LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, Frank Morgan, Vincent Price, Keenan Wynn, John Sutton, Gig Young.

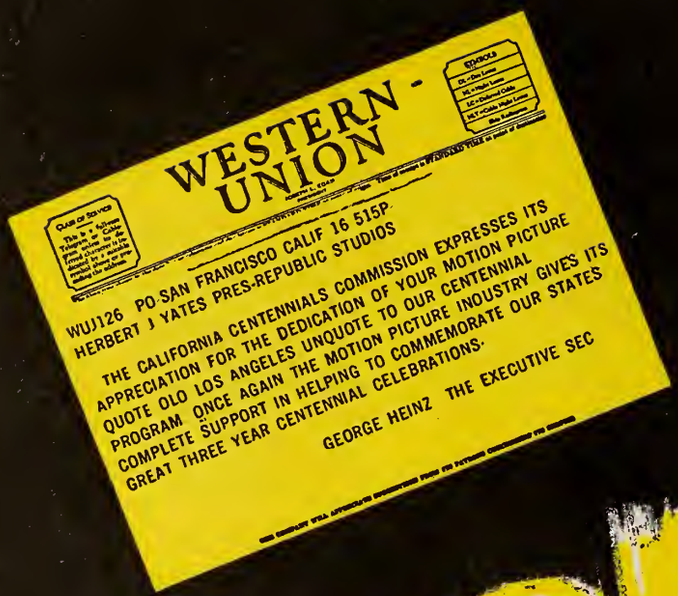
★

M-G-M GREAT IN '48!

OLD LOS ANGELES

"We dedicate this motion picture to the majestic and colorful state of California and to the California Gold Centennial, which marks 100 years of unparalleled progress in a great land of freedom and opportunity."

REPUBLIC PICTURES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DAILY VARIETY

"Hondsome production, well acted. Full of action. Cinch ta make o mint. Excitement generously and skillfully lodled out."
HOLLYWOOD REPORTER

"Lusty, colorful western."
MOTION PICTURE DAILY

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BIG

Romance PULSATING WITH WARM, YOUNG, VIBRANT LOVE!

SPECTACLE FABULOUS... COLORFUL... EXCITING!

OLD LOS ANGELES

starring WILLIAM ELLIOTT · JOHN CARROLL · CATHERINE McLEOD · JOSEPH SCHILDKRAUT
with ANDY DEVINE · ESTELITA RODRIGUEZ and VIRGINIA BRISSAC · GRANT WITHERS · TITO RENALDO
Screen Play by Gerald Adams and Clements Ripley • Original Story by Clements Ripley • Associate Producer and Director JOSEPH KANE

A REPUBLIC PICTURE

Two Premieres for Andy Smith Drive

World premieres for 20th Century-Fox's "Green Grass of Wyoming" and "The Street with No Name" will highlight the "Andy Smith Anniversary Month," May 30-June 26. The drive is being sponsored in honor of the general sales manager's first year as head of distribution. "Green Grass" will make its bow in Lancaster, O., on May 25. The premiere of "The Street" will be held at the Fox Theatre, Philadelphia, June 16.

Both pictures will be given special handling by the advertising-publicity department.

Schlaifer To Lecture On Public Relations

Relationship of the advertising, publicity and exploitation departments to the philosophy of public relations will be presented to students of the New School for Social Research here on Friday by Charles Schlaifer, director of advertising-publicity for 20th Century-Fox, in his course on "The New Significances of Motion Picture Public Relations."

Schlaifer's lecture will stress the responsibility of the motion picture publicist to his industry, his community, and the democratic way of life.

Industry's Story

(*Continued from page* 1)

will preside over the Family Life Conference starting today in the Capital. Arthur De Bra, director of the MPAA's community relations, will attend a convention of the Missouri Federation of Women's Clubs in Springfield, Mo., today.

Tomorrow, the association will be represented at a meeting of the New York State Federation of Music Clubs, in New York City. During the week of May 24, the industry will be represented at the annual gathering of the General Federation of Women's Clubs in Portland, Ore., by Johnston. Meeting during the same week, in Cleveland, the National Congress of Parents and Teachers will witness three exhibits of the industry.

Dedicate 'Dream House'

Dedication ceremonies at the "Mr. Blandings Dream House" were held here yesterday, with Neil F. Agnew, president of Selznick Releasing Organization participating. The house is one of 80 being constructed throughout the U. S. in connection with the promotion campaign for SRO's RKO release, "Mr. Blanding Builds His Dream House." The house here will be displayed for the benefit of the New York Heart Association.

OF COURSE

"TEXAS, BROOKLYN and HEAVEN"

sent from UA

Audience Research Sees Gross of $800 Millions from Untapped Public

If all persons between 31 and 65 could be induced to go to a motion picture theatre once a week, the increase in the anuual box-office gross—even after taxes—would amount to $800,000,000, according to an Audience Research survey.

The widespread industry promotional campaign now being accelerated is intended to improve public goodwill for the screen and to step up attendance.

During March, Audience Research says its surveys show an average of 70,000,000 tickets were purchased weekly, at a cost of $33,000,000. But the bulk came from persons under 30, according to Audience Research.

If persons between 31 and 65 had seen at least one picture a week, the average weekly increase in March would have amounted to $75,000,000.

RCA Quarterly Net Up 23%: Sarnoff

More than 300,000 television receivers are in use in the U. S., and 800,000 are expected to be receiving by the end of the year, David Sarnoff, RCA president, told the 29th annual stockholders meeting here yesterday.

RCA's net for the first quarter of 1948 increased $1,084,433—23 per cent —to $5,764,498, over the same period in 1947. This represents earnings after taxes.

Frakes-Bishop Houses Are Now Combined

SEATTLE, May 4.—Mrs. Agnes Frakes and Mrs. Ruth Bishop have combined their circuits in Idaho and Eastern Washington. The Bishop group includes houses in Metaline Falls, Ione, Cusick and Newport, all in Washington. The Frakes theatres are in Priest River, Idaho, and in Palouse and Garfield in Washington.

Woodward Succeeds Feld at E-L Branch

J. F. Woodward has been named Eagle-Lion branch manager in St. Louis by L. J. Schlaifer, assistant to the general sales manager of E-L. Woodward, who has been 20th Century-Fox manager in Milwaukee, replaces William Feld.

Financing Available

(*Continued from page* 1)

vice-presidents of the banks and an SIMPP committee composed of Gunther R. Lessing, George Bagnall, Marvin L. Faris and Joseph J. Alvin.

The bankers assured the SIMPP committee that banks have more money invested in independent pictures now than ever before, and are welcoming loan applications. One bank pointed out it had joined with an Eastern bank to make Walter Wanger the biggest film loan in history for his "Joan of Arc." Bankers said plenty of money is available for financing any good independent picture whose producer has proved himself in the past. Requirements are "reasonable safeguards" that the banks will get their money back, plus normal interest.

25¢ Technicolor Dividend

HOLLYWOOD, May 4.—Technicolor's board of directors today declared a dividend of 25 cents per share payable May 28 to stockholders of record on May 18, it was announced by company president Dr. Herbert T. Kalmus.

Barney Rosenthal, 63, Pioneer in St. Louis

ST. LOUIS, May 4.—Barney Rosenthal, 63, local manager for Monogram and dean of Film Row, here, died of a cerebral hemorrhage yesterday.

Rosenthal came here from Chicago in 1907 as manager of the old Swanson-Crawford offices and was at various times with Universal, Republic and Columbia. He is survived by a brother, Lew, of Cedar Rapids, Ia. Burial will be in Chicago.

Services Held Here For Jack Shapiro

Funeral rites for Jack Shapiro, 58, president of M. Shapiro and Son Construction Co., which has erected 80 film houses, were held here yesterday at the Society for Ethical Culture. Shapiro, who also had financed a number of films, was killed in a plane crash on Sunday at Danbury, Conn. The widow, two sons, four brothers and two sisters survive.

Wielland, Circuit Head, Dies at 74

ATLANTIC CITY, N. J., May 4.—George F. Weilland, 74, president of the Apollo Circuit which operates several houses here, died today at his summer home in nearby Margate.

He is survived by the widow, Lottie; a son and a daughter.

Correction

In its issue of April 30, MOTION PICTURE DAILY incorrectly identified Barney Balaban with the co-ownership of the Rialto Theatre on Broadway. Balaban never has had any direct or indirect interest in the theatre. MOTION PICTURE DAILY regrets its error and is happy to make this correction.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Among five new films, "Naked City" and "Sitting Pretty" are doing well, while others are fair. Business is spotty. Weekend weather was rainy for the most part. Estimated receipts for the week ending May 6:

CASBAH (U-I)—ORIENTAL (3,300) (98c) 2nd week. On stage, Tony Martin. Gross: $48,000. (Average: $40,000)

CASS TIMBERLANE (M-G-M)—WOODS (98c) 8th week, five days. **STATE OF THE UNION (M-G-M)** 2 days. Gross: $21,000. (Average: $23,000)

GENTLEMAN'S AGREEMENT (20th-Fox)—APOLLO (1,200) (98c-$1.25) 26th week. Gross: $7,500. (Average: $17,000)

IF WINTER COMES (M-G-M)—MONROE (953) (50c-67c-95c) 2nd week. Gross: $8,000. (Average: $13,500)

SITTING PRETTY (20th-Fox)—CHICAGO (3,900) (98c). Gross: $40,000. (Average: $40,000)

THE HIGH WALL (M-G-M)—UNITED ARTISTS (1,700) (98c) 5 days. **THREE DARING DAUGHTERS (M-G-M)** 2 days. Gross: $19,000. (Average: $23,500)

THE HUNTED (Allied Artists)—GRAND (1,150) (98c) 5 days. **ARE YOU WITH IT? (U-I)** 2 days. Gross: $10,000. (Average: $16,000)

THE LADY FROM SHANGHAI (Col.)—STATE LAKE (2,700) (98c). On stage: Lina Romay. Gross: $35,000. (Average: $35,000)

THE NAKED CITY (U-I)—PALACE (2,500) (67c-98c). Gross: $36,000. (Average: $22,000)

TO THE VICTOR (Warners)—ROOSEVELT (1,500) (98c). Gross: $17,000. (Average: $23,500)

INDIANAPOLIS

First-run business is lop-sided here this week, the biggest share of it going to "State of the Union," which is set for a holdover at Loew's. "Tarzan and the Mermaids" and "Scudda Hoo, Scudda Hay" are near average. A wet, chilly weekend discouraged theatre-going. Estimates for the week ending May 4-5:

CONGORILLA (20th-Fox) and BORNEO (20th-Fox reissues) — LYRIC (1,600) (44c-65c). Gross: $7,000. (Average: $6,000)

SCUDDA HOO, SCUDDA HAY (20th-Fox)—INDIANA (3,200) (44c-65c). Gross: $11,000. (Average: $12,000)

SEVEN SINNERS (E-L) and SUTTER'S GOLD (E-L)—KEITH'S (1,300) (44c-65c). Gross: $4,500. (Average: $4,500)

STATE OF THE UNION (M-G-M)—LOEW'S (2,450) (44c-65c). Gross: $19,000. (Average: $11,000)

TARZAN AND THE MERMAIDS (RKO Radio) and WESTERN HERITAGE (RKO Radio)—CIRCLE (2,800) (44c-65c). Gross: $10,000. (Average: $10,000)

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MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST F
NEW YORK, N. Y.

VOL. 63. NO. 88 NEW YORK, U.S.A., THURSDAY, MAY 6, 1948 TEN CENTS

Decision Seen Putting End To Film Sales to Circuits

Some Industry Attorneys Believe 'Open' Situations Could Be Sold Legally and Safely on Theatre-by-Theatre Basis Only

Future restrictions upon film distribution, implicit in the Supreme Court decision in the U. S. vs. Paramount case, are as portentous, and perhaps potentially more far-reaching, than the decision's bearing upon circuit theatre ownership, in the opinion of many industry attorneys.

Limitations which the decision puts upon the exercise of circuit buying power, whether affiliated or independent, suggests that "simon-pure" selling in all open, competitive situations may be attained by distributors only by a theatre-by-theatre licensing method, many believe.

So explicit is the Supreme Court decision on the subject of discriminatory selling and the exercise of buying power in competitive situations, that the attorneys' studies virtually have convinced them that circuit selling in the future will leave any distributor vulnerable to endless anti-trust suits charging unreasonable clearance, or other discriminatory sales practices, and to damage actions.

The high court decision with respect to the trade practices covered is the law, as distinguished from a decree, attorneys point out. Civil and criminal penalties attach to infractions of the law governing those trade practices, and with an immediacy not identified with the questions of theatre ownership which the high court returned to the New York Federal District Court for re-examination.

Attorneys emphasize that the high court's decision with respect to

(Continued on page 4)

US Sees 'More Drastic' Order On Divestiture

Wright Calls Decision A 'Government Victory'

WASHINGTON, May 5. — Justice Department Attorney Robert Wright has observed that it was "quite clear" that the Supreme Court's decision in the Paramount case directed the lower court to enter a more drastic decree on theatre divestiture.

Washington, May 5.—A top-ranking industry legal adviser here took issue with the Government, saying he does not regard the Supreme Court decision as a "Government victory," but views the whole divestiture problem as "still pretty well open."

Wright said the Department regarded the decision as a Government victory. "We didn't get a final decision," he said, "but we did win the opportunity to prevail in further proceedings."

The Supreme Court, Wright stated,

(Continued on page 4)

Tax-free Divestiture Plan Asked by Para. Is Killed at Hearing

WASHINGTON, May 5.—Strong opposition by the Treasury Department tonight apparently killed a proposed change in tax laws being sought by Paramount and other distribution-exhibition companies.

The proposal would make tax-free any gains realized by motion picture companies from the sale of theatres pursuant to a court order, provided that the proceeds are reinvested in other theatre properties.

Under-secretary of the Treasury A. L. M. Wiggins at a closed-door

(Continued on page 4)

Levy Warns Against Relaxing Vigilance

Exhibitors must remain as vigilant as ever "to protect themselves against any future decree of the lower court which may adversely affect them even though the plan finally to be decreed for the licensing of films is not 'competitive bidding'." This warning was sounded by Herman M. Levy, general counsel of the Theatre Owners of America, in an analysis of the U. S. Supreme Court decision in the Paramount case which was distributed to members of the TOA yesterday.

"It is important to be kept in mind," Levy said, "that while the Supreme Court has discarded competitive bidding it has sent the case back to the lower court with wide discretion to make the decree more 'effective'. Thus, it would seem that the

(Continued on page 4)

Benefits of Ruling Forecast by Myers

BOSTON, May 5.—Execution of the Supreme Court's instructions in its decision in the Paramount case will reduce to "insignificance" the percentage of unaffiliated theatres, open the motion picture field to new producers and new distributors, end "artificial product shortages" and make film rentals "reflect the real value of the product

(Continued on page 4)

Decision a New Code Of Conduct: Gamble

LITTLE ROCK, Ark., May 5.—The U. S. Supreme Court decision in the Paramount trust action was called a new blueprint for industry conduct by Ted R. Gamble, president of the Theatre Owners of America, today as the Independent Theatre Owners of Arkansas and the state TOA unit closed a convention at the Hotel Marion here.

Gamble declared that the TOA

(Continued on page 4)

Trumbo Is Found Guilty of Contempt

WASHINGTON, May 5.—Screen writer Dalton Trumbo was found guilty today of contempt of Congress. He was convicted of refusing to tell a House Un-American Activities subcommittee whether or not he has ever been a member of the Communist Party and a member of the Screen Writers Guild.

Federal Judge David A. Pine con-

(Continued on page 6)

Company-wide Bargaining With Salesmen Ordered

WASHINGTON, May 5.—National Labor Relations Board has ruled that the 12 distributors must bargain with heir salesmen on an employer-wide basis.

At the same time, the Board ordered separate elections by secret ballot within 30 days among the salesmen to determine whether or not they desire to be represented by the Colosseum of Motion Picture Salesmen of America for collective bargaining purposes.

The Board's ruling that bargaining be on an employer-wide basis is a marked victory for the Colosseum. However, the Board ruled for the distributors in declaring that branch sales managers are supervisors as de-

(Continued on page 2)

20th-Fox, Paramount In New Video Bids

WASHINGTON, May 5.—Twentieth Century-Fox today made its second television station bid this week, having applied to the Federal Communications Commission for a video outlet in San Francisco. Last Monday, it was disclosed that the company has plans to establish a radio and television station in Seattle, and prior to that it applied for a Boston video permit.

Paramount also applied today to the FCC for a video outlet in San Francisco. That company already has stations in Chicago and Los Angeles.

Say Decision Kills Buying Combines

Independent film buying and booking combines are among the casualties to fall before this week's Supreme Court decisions, in the opinion of industry attorneys.

The high court decisions in the Griffith and Schine cases, and particularly the former, are cited as directly applicable to exhibitors who have pooled their buying power and accumulated monopolistic power thereby, even though the power was "lawfully acquired" and "remains unexercised," as the court said in the Griffith case.

Personal Mention

SIR ALEXANDER KORDA will return to New York today from Hollywood, and is expected to return to England within the next few days.

•

HENRY NATHANSON, president of M-G-M Films of Canada; TED GOULD, general sales manager, and DEWEY BLOOM, exploitation representative, will leave here today for Toronto after home office conferences.

•

GUS SCHAEFER, RKO Radio district manager, and MAX WESTEBBE, Albany branch manager, were visitors this week at Schine circuit headquarters in Gloversville, N. Y.

•

HANK HOWARD, who has been handling RKO Radio first-run engagements on Broadway, will return to the field exploitation staff Monday in the Buffalo and Albany territories.

•

H. M. RICHEY, M-G-M, will leave Boston today for New Haven. On Saturday he will leave for Chicago and a number of other cities where exhibitor conventions are scheduled.

•

BERLE ADAMS, independent producer, is in town from Hollywood for talks with R. M. SAVINI, Astor Pictures president.

•

WILLIAM B. LEVY, Walt Disney Productions' head of worldwide sales, returned to New York yesterday from Europe on the *SS Queen Mary*.

•

FRED MEYERS, Universal-International Eastern division sales manager, is in Boston from New York.

•

LOUIS WEISS, producer, is at Cedars of Lebanon Hospital in Hollywood following a heart attack.

•

HARRY WARNER is in town from the Coast.

R. I., Mich. Pass No Harmful Legislation

WASHINGTON, May 5.—Two more state legislatures have adjourned, Rhode Island and Michigan, without passing any bills harmful to the industry, according to Jack Bryson, Motion Picture Association of America legislative representative. New Jersey is expected to recess next week until late August, Bryson said, leaving only Massachusetts and Louisiana in session. Louisiana is not in session now, but will convene on Monday.

'Curtain' Premieres Wed. at 400 Houses

Twentieth Century-Fox's "The Iron Curtain" will have a 400-theatre premiere next Wednesday throughout the country, arranged by Andy W. Smith, distribution chief.

The advertising-publicity department under Charles Schlaifer, has issued an "advertising prevue" highlighting promotional ideas for exhibitors, field men and the company's sales forces.

'Blame Films Falsely For Delinquency'

WASHINGTON, May 5.—Motion Picture Association of America President Eric Johnston said today that it is "quack and futile diagnosis" to blame films, radio, and other entertainment media as causes of juvenile delinquency.

Johnston made the statement in his address opening the National Conference on Family Life. The MPAA official is also president of the conference. President Truman is slated to speak at the conference tomorrow.

Pointing out that there is a tendency to blame the family crisis on the "handiest scapegoat available," Johnston pointed out that sometimes we blame the automobile, sometimes the whole industrial system, and sometimes the communications industries. "We find convenient villains for the cause of juvenile delinquency," he said.

Johnston called for private and Governmental action to combat adverse influences on family life and to strengthen the family's position in America.

Johnston's Hollywood Visit Off Until Middle of June

WASHINGTON, May 5.—Motion Picture Association of America president Eric Johnston's next trip to Hollywood, originally scheduled for later this month, is now off until mid-June, according to MPAA officials.

For the next four days Johnston will be wrapped up here in the National Family Life Conference, of which he is chairman. On Sunday he will leave by plane for San Francisco to spend a week or 10 days there with his ill mother, taking her to Spokane. He will then return to Washington for about a week, fly back to Portland for his speech before the General Federation of Women's Clubs on May 28, and then come back to Washington again until mid-June. His French trip, MPAA officials say, is still very indefinite.

Michaels Is Named To SRO N.Y. Post

Ira Michaels has been named New York sales representative for the Selznick Releasing Organization, by Milton S. Kusell, SRO vice-president in charge of domestic and Canadian sales.

Michaels was formerly in the New York SRO exchange.

Para. Meeting Up-State

ALBANY, N. Y., May 5. — Oscar Morgan, Paramount short subjects sales manager, and Monroe Goodman, his assistant, spoke at a sales drive meeting at the company's local office, and, with branch manager Edward Ruff, recommended stronger efforts to sell shorts. Morgan and Goodman held a subsequent meeting in Buffalo.

Ullman Aids Albany UJA

ALBANY, N. Y., May 5.—Saul Ullman, Albany division manager of Fabian Theatres, heads the executive committee of the United Jewish Appeal here. The local quota is $850,000.

Bargaining

(*Continued from page* 1)

fined by the National Labor Relations Act, and therefore cannot be included in the same bargaining units with salesmen. A. W. Van Dyck, president of the Colosseum, is a 20th Century-Fox branch sales manager stationed in Chicago.

Twelve Companies Involved

Involved in the case, which was submitted to the Board here in January and was decided unanimously by a three-man panel of John Houston, Abe Murdock and J. Copeland Gray, are Paramount, Loew's, RKO, Republic, 20th Century-Fox, Universal, Warners, Columbia, Eagle-Lion, United Artists, Monogram and National Screen.

The Board specifically turned down a motion by National Screen to dismiss that organization from the proceedings, and another by all of the distributors for oral argument.

The Board cited various parts of the record, and said that "on the basis of the foregoing facts, and more particularly the marked centralization with respect to general policies and labor relations, the uniform application of personnel policies, the similarity of sales methods in the various branch offices, the pattern of collective bargaining among the Paramount group on a single employer-wide basis in "front" offices, from which salesmen are recruited, and upon the basis of the entire record in the case, we believe that employer-wide units of salesmen will insure to all employes of the respective employers the most effective representation for collective bargaining purposes."

The NLRB order said that the elections must cover all salesmen employed during the payroll period preceding April 30, including those ill, on vacation or temporarily laid off during that period. Excluded, however, would be any salesmen who have quit or have been discharged for cause, or any on strike.

Cites 'Front-office' Practice

The decision said that there has been no collective bargaining history in the industry covering film salesmen, but pointed out that the industry's "front office" clerical employes are represented in an employer-wide unit.

In finding that branch sales managers should be classed as supervisors, the Board pointed out that their recommendations are given great weight by home offices, that they must use discretion and judgment in routing salesmen and have authority to reject transactions made by salesmen, that salesmen are required to telephone their branch sales managers from time to time for advice and instructions, and that the branch sales managers make $25 to $30 a week on the average more than salesmen. "On the basis of the foregoing," the Board said, "we believe and find that branch sales managers are supervisors as defined in the act."

Elections will be held under the supervision of the NLRB regional director for the second region, the Board said.

Independents Get a Break in the Loop

CHICAGO, May 5.—Balaban and Katz, pressed for product as a result of the two-week Loop limitation imposed by the Jackson Park decree, have booked a number of films made by smaller independent companies into their downtown houses. Notable is the fact that prior to the decree the majority of these films would have been passed by for Loop showings.

Films are: "Woman in the Night" and "Will It Happen Again," released by Film Classics, set for the Garrick for May 14 or 21; "The Raiders," distributed by English Pictures, at the Garrick; "The Overlanders," Australian film released by U-I, and "Song of My Heart," Allied Artists, both booked into the Apollo, and "Smart Woman," Allied Artists, at the State Lake for the week of May 14.

$109,505 Quarterly Profit for GPE

General Precision Equipment Corp. and subsidiaries report for the three months ended March 31, a net profit of $109,505, after Federal taxes. These earnings, subject to year-end adjustments, compare with a net of $257,143 for the corresponding period of 1947.

Directors of General Precision have declared a dividend of 25 cents per share on the capital stock, payable June 15 to stockholders of record on May 25, 1948.

DuMont, 'News' Enter "4A's" Video Talks

DuMont and the *New York Daily News* yesterday were brought into the negotiations being conducted by the Associated Actors and Artistes of America on the first contract covering wages, hours and conditions of work for performers in television.

Other parties to the negotiations are the four major networks: CBS, NBC, ABC and Mutual.

Telenews Expands in UK

Extension of Telenews' theatre newsreel service to the British Isles was announced here yesterday by Telenews Productions, with the signing of the Monseigneur newsreel circuit in England and Scotland. Service will be made available in London two days after films appear in New York.

Syndicate Video Reel

A syndicated daily edition of WPIX television newsreel is being offered to stations outside the New York area, Robert L. Coe, station manager, announces. Production of the daily newsreel six days a week will start about June 15.

Sees 100,000 Video Jobs

There will be 100,000 jobs in the television industry and 63,000,000 viewers by the end of 1952, according to Ralph B. Austrian, vice-president in charge of television at Foote, Cone and Belding, advertising agency here.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising, Urben Farley, Advertising Representative, Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald: International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

WALLFLOWER

On the screen it out-happies the play!!

as you'll see at

.....WARNER BROS.' TRADE SHOW MAY 17.....

CITY	PLACE OF SHOWING	ADDRESS	TIME
Albany	Warner Screening Room	79 N. Pearl St.	8:00 P.M.
Atlanta	20th Century-Fox Sc. Rm.	197 Walton St. N.W.	2:30 P.M.
Boston	RKO Screening Room	122 Arlington St.	2:30 P.M.
Buffalo	Paramount Sc. Room	464 Franklin Street	2:00 P.M.
Charlotte	20th Century-Fox Sc. Rm.	308 S. Church St.	10:00 A.M.
Chicago	Warner Screening Room	1307 So. Wabash Ave.	1:30 P.M.
Cincinnati	RKO Screening Room	Palace Th. Bldg. E. 6th	8:00 P.M.
Cleveland	Warner Screening Room	2300 Payne Ave.	2:00 P.M.
Dallas	20th Century-Fox Sc. Rm.	1803 Wood St.	10:00 A.M.
Denver	Paramount Sc. Room	2100 Stout St.	2:00 P.M.
Des Moines	20th Century-Fox Sc. Rm.	1300 High St.	12:45 P.M.
Detroit	Film Exchange Bldg.	2310 Cass Ave.	2:00 P.M.
Indianapolis	Universal Sc. Room	517 No. Illinois St.	1:00 P.M.
Kansas City	20th Century-Fox Sc. Rm.	1720 Wyandotte St.	1:30 P.M.
Los Angeles	Warner Screening Room	2025 S. Vermont Ave.	2:00 P.M.

CITY	PLACE OF SHOWING	ADDRESS	TIME
Memphis	20th Century-Fox Sc. Rm.	151 Vance Ave.	10:00 A.M.
Milwaukee	Warner Th. Sc. Rm.	212 W. Wisconsin Ave.	2:00 P.M.
Minneapolis	Warner Screening Room	1000 Currie Ave.	2:00 P.M.
New Haven	Warner Th. Proj. Rm.	70 College St.	2:00 P.M.
New Orleans	20th Century-Fox Sc. Rm.	200 S. Liberty St.	1:30 P.M.
New York	Home Office	321 W. 44th St.	2:30 P.M.
Oklahoma	20th Century-Fox Sc. Rm.	10 North Lee St.	1:30 P.M.
Omaha	20th Century-Fox Sc. Rm.	1502 Davenport St	1:00 P.M.
Philadelphia	Warner Screening Room	230 No. 13th St.	2:30 P.M.
Pittsburgh	20th Century-Fox Sc. Rm.	1715 Blvd. of Allies	1:30 P.M.
Portland	Jewel Box Sc. Room	1947 N.W. Kearney St.	2:00 P.M.
Salt Lake	20th Century-Fox Sc. Rm.	216 East 1st South	2:00 P.M.
San Francisco	Republic Sc. Room	221 Golden Gate Ave.	1:30 P.M.
Seattle	Jewel Box Sc. Room	2318 Second Ave.	10:30 A.M.
St. Louis	S'renco Sc. Room	3143 Olive St.	1:00 P.M.
Washington	Warner Th. Bldg.	13th & E Sts. N.W.	10:30 A.M.

ROBERT HUTTON ☆ JOYCE REYNOLDS ☆ JANIS PAIGE in "WALLFLOWER"

with EDWARD ARNOLD • Directed by FREDERICK De CORDOVA • Produced by ALEX GOTTLIEB • Screen Play by Phoebe and Henry Ephron • From the Stage Play by REGINALD DENHAM and MARY ORR • As Produced on the Stage by Meyer Davis

WB

Levy Warns

(*Continued from page* 1)

lower court is privileged to evolve a system of licensing, other than competitive bidding, which will . . . 'offset in any way the advantages which the exhibitor-defendants have by the way of theatre ownership'."

Levy told TOA members that in its decision the Supreme Court set aside the findings and decisions of the lower court on competitive bidding, monopoly, divorcement and the ban against further expansion of the present theatre holdings of the defendants.

Sees Cross-license Ban Out

"The Supreme Court," he said, "dismissed the feasibility of the ban on cross-licensing, suggested by the Government, because it 'would seem to be only an indirect way of forcing divestiture', but the Supreme Court leaves it for the lower court to determine whether the plan is a 'short range remedy in certain situations to dissipate the effects of the conspiracy'. This subject is, then, too, available for further consideration and action by the lower court."

As for arbitration, the problem involved, according to Levy, is that the lower court "wrote enthusiastic words of praise" on this point, adding that "it took the position, however, that it could not incorporate arbitration as part of the decree except upon agreement of all parties to the case."

Arbitration Up to Lower Court

"The Supreme Court," he said, "agrees with this conclusion. It does, however, hold that the lower court has the power to authorize the maintenance of such a system by those parties who do consent, and to provide the rules under which it will operate. It would be auxiliary relief and would not bar the use of other remedies for violations of the Sherman Act or of the decree. It leaves it to the lower court's discretion whether or not to inaugurate such a system."

The TOA counsel asserted that the decision made it clear that "it is not necessary to establish 'specific intent' in order to create a monopoly," contending that the sole quetsion is: "Does monopoly result as a necessary consequence of what was done?"

Tax-free Plan

(*Continued from page* 1)

meeting of the House Ways and Means Committee tonight presented the Treasury's position on the change. A committee member said that the committee would probably vote at its next meeting to table the proposal.

Theatre-owning companies admitted earlier this week that much of the immediate pressure for the change had been lifted by the Supreme Court's action in sending the industry anti-trust decision back to the lower court. On the other hand, members of the House committee, it was reported, felt the issue was academic now.

Wiggins told the group that the Paramount proposal was so broad that it would cover similar situations in the future in every industrial field. He also said he saw no reason why tax laws should be revised to aid corporations found guilty in the courts.

Schine in New York

ALBANY, N. Y., May 5.—J. Meyer Schine, president of Schine Chain Theatres, against which an adverse decisions was handed down Monday by the Supreme Court, left here tonight for New York.

Circuit Selling

(*Continued from page* 1)

illegal use of buying power is extremely broad. It is not limited to affiliated circuits, but includes independents operating in open situations, and is directed primarily at preferential terms of any kind which are given to the "big" and withheld from the "small."

The impact of the decision is likely to hit distribution and film buying with a suddenness and gravity far exceeding any divestiture probability, attorneys warn.

Meanwhile, more and more legal thinking is inclining to the belief that large-scale theatre divestiture is inescapable and may not involve a prolonged legal process even though the subject is returned to the Supreme Court once more. Predictions are that it will take from one to two years, even though the current crowded calendars of the New York Federal Court make the start of hearings here before next fall unlikely.

Attorneys point out that the case in the lower court may be brief due to the fact that the Supreme Court has sustained findings of violations of the Sherman Act in sufficient instances to make possible a decree of any kind from the lower court. The Government does not have the obligation of proving more violations, it is contended.

A reading of the Griffith and Schine decisions, together with the Paramount decision, reveals the kind of decree the high court expects, attorneys say. They emphasize that the three decisions must be considered as one in order to realize their full implications because that is the manner in which they were considered by the Supreme Court.

Jackson Hailed for Fight on Bidding

ATLANTA, May 5.—Tribute to the efforts of Mack Jackson, president of the Confederacy of Southern Exhibitor Associations, and his co-workers against competitive bidding was voiced today in a formal resolution passed at the closing session of the first annual convention of the Motion Picture Theatre Owners and Operators of Georgia in the Henry Grady Hotel here.

Among subjects discussed today were 16mm. competition and trailers. R. B. Wilby told the convention that the trailer is an accessory which becomes advertising when the exhibitor publishes it on his screen.

Interests and plans of the Theatre Owners of America were discussed by Ted Gamble, TOA president, and Robert W. Coyne, executive director.

Gamble on Decision

(*Continued from page* 1)

again would seek to intervene if the result of the rehearing of the case threatened the welfare of exhibition as did competitive bidding.

"We will work sincerely with producers and distributors so that our industry can remain dynamic," he said. "Animosities should be forgotten in the face of common dangers. Our future holds great promise, but we must spell out that promise by constructive imagination and aggressive guidance."

E. W. Savage was elected president of the Arkansas exhibitor organization. B. F. Busby was named vice-president and Sam B. Kirby was named secretary-treasurer. Elected to the board were: Henry Haven, W. C. Sumpter, Walter Lee, Terry Axley, W. D. Mitchell, Sidney Wharton and O. G. Wren, who will serve as chairman. Claude C. Mundo was elected a director of the national TOA board.

Gamble and Robert W. Coyne, TOA's executive director, were today's guests of honor as well as principal speakers.

Theatre Changes Hands

HARTFORD, May 5.—Steve Kurpen, Hartford and Howard Harris, East Hartford, have bought the New Astor Theatre Corp., East Hartford, from Peter and Alexander Krenicki and are now operating the Astor.

US Sees

(*Continued from page* 1)

made it quite clear to the lower court that some theatres must be divested. He said that the decision held not only that joint ownership with independents must be dissolved in many cases but that the majors must be the ones to sell their holdings in such theatres—where they were illegally acquired, illegally used, or are preventing an independent exhibitor from being in business for himself. The court also said, Wright pointed out, that it had seen enough of the record to know that such theatres did exist.

Wright declared that the question no longer is whether theatres should be divested, but how many and which ones.

Justice officials also hailed the Griffith decision as a Government victory, but were a little more reserved about the Schine decision.

"In the Schine case," Wright said, "the whole relief question has been reopened, and what will ultimately result there is anybody's guess. It's perfectly clear that there must be some divestiture, but how much and where is still open. The same holds true for the Griffith case, of course, but at least the court there did hold a clear violation of the law, which the District Court hadn't."

Wright admitted that the Justice staff would be hard pressed to go ahead with all three cases, and indicated the decision would probably be to go ahead first with the Paramount case as the key case.

He refused to comment on persistent reports that he is preparing to leave the Department.

Even though competitive bidding was excluded, Wright warned, the film firms still have an obligation to offer films singly, on a competitive basis, without discrimination. He said that followed from the court's findings on block-booking and other trade practices.

Another high-ranking official in the Anti-Trust Division of the Justice Department said he regarded the Paramount decision as a "clear-cut Government victory."

"The Supreme Court," he said, "told the District Court it must take a new look at the case with the far tighter definition of monopoly as laid down in the American Tobacco case in mind. The court certainly followed the Government's argument in practically all major points."

More Revenue Seen For Independents

HOLLYWOOD, May 5.—The Supreme Court's decision in the Paramount anti-trust suit "will increase the independent producer's share of the box-office dollar in the greatest market in the world, the United States," Gunther Lessing, chairman of the executive committee of the Society of Independent Motion Picture Producers, declared here last night.

Said Lessing: "In the past the independent producer received about 50 per cent of his income from the domestic market. If the decision accomplishes what it sets out to do, there is no reason why this cannot be increased to 75 per cent."

The SIMPP executive committee will call a meeting soon to hear a report on the decision from general counsel Robert J. Rubin who returned here today from the East.

Myers

(*Continued from page* 1)

and not the rapacity of those accustomed to dealing in a controlled market," Abram Myers, chairman and general counsel of Allied States, declared today.

He spoke at the convention here of the Independent Theatre Owners of New England and amplified remarks which he made yesterday in Washington on Monday's ruling by the Supreme Court.

Will Press for Lewis Bill

Myers also told the convention that Allied's fight for passage of the Lewis Bill, which would have producers negotiate directly with Ascap for music performing license rights, will continue. If the measure fails to reach both houses of Congress this session, he said, it will be reintroduced next session.

David Palfreyman of the Motion Picture Association of America, who preceded Myers in addressing the meeting, noted that 26 states and 300 cities have taxes in addition to the federal amusement levies. If business declines, the burden will become serious, he emphasized in urging exhibitors to overcome their reluctance in contacting receptive legislators.

Other speakers today included Ted Genock of Paramount, who spoke on television; John Dervin, who thanked the organization for its contributions to Variety Tent 23; Henry McKenna, insurance engineer, and Samuel Lowe, whose topic was theatre candy-selling.

Hails Divestiture Ruling

Contending that the high court, in dealing with divestiture, had "found fault with the entire theory upon which the District Court had proceeded," Myers hailed the court's decision terminating the decree's permission for a defendant to buy out the other owner of a theatre as "eliminating one of the weakest features of the lower court's decree."

Even more important, he continued, is the court's ruling that the lower court must "undo what the conspiracy achieved."

Myers also said he "suspected" that any voluntary arbitration system would not have great appeal for the defendants."

The competitive bidding system thrown out by the court "was the most controversial feature of the District Court's decree," he declared.

HATS OFF!

LIGHTS ON!

FOR

The Paramount Premiere of the Year

THE NIGHT OF MAY 26th
AT THE PARAMOUNT
HOLLYWOOD
THEATRE

THE WORLD'S
FIRST PUBLIC
SHOWING OF

BING JOAN

CROSBY-FONTAINE

in

"The Emperor Waltz"

Color by TECHNICOLOR

with
ROLAND CULVER • LUCILE WATSON
RICHARD HAYDN • HAROLD VERMILYEA
Produced by CHARLES BRACKETT
Directed by BILLY WILDER
Written by Charles Brackett and Billy Wilder

A full-dress red-carpet gala Hollywood opening, our first in six years, indicates the exceptional nature of this superb production.

To be followed shortly by the
EASTERN PREMIERE
AT RADIO CITY MUSIC HALL
Early in June

$3,000,000 for U.K. Films Here in 1947

WASHINGTON, May 5.—Preliminary figures on hand at the Department of Commerce disclose that slightly less than $3,000,000 in American earnings were remitted to Britain last year by British film companies and their American distributors.

This compares with earnings of $10,000,000 to $12,000,000 predicted for British firms in this market during the current year by Eric Johnston, Motion Picture Association of America president.

It indicates a negligible addition to the $17,000,000 which American companies may take out of Britain annually under the new fiscal trade agreement starting June 14, in the event no sharp increase in the playing of British films occurs here immediately. In addition to the $17,000,000, American companies may take out of England an additional amount equivalent to the earnings of British pictures here.

E-L Heads Due Back Here from London

Following 10 days of conferences with J. Arthur Rank officials in London on forthcoming Rank product to be released in the United States and Latin America by Eagle-Lion, William J. Heineman, E-L distribution vice-president, and Max E. Youngstein, advertising vice-president, are due back here today from England.

Meanwhile, Robert R. Young, principal stockholder in Pathe Industries, parent of Eagle-Lion, is enroute to Hollywood from New York for a 10-day visit at E-L studios. Young is accompanied by Robert W. Purcell, chairman of the Pathe board. They will be joined in Hollywood by Thomas J. Deegan, Jr., public relations head of the Young enterprises. They will confer with Arthur B. Krim, president of Eagle-Lion Films.

Setback for U. S. Playoffs in U. K.

LONDON, May 5.—American distributors' expectations that they would get an early playoff of their top product in the West End with their return to the British market after the end of the Americans' product embargo, received a setback here today when it was made known that J. Arthur Rank's "Hamlet" has been booked for 26 weeks at the Odeon Theatre, and that he proposed road showings for the picture in selected towns in the provinces.

The picture was given wide newspaper attention today following a press preview. Its premiere tomorrow at the Odeon will be attended by the King and Queen.

Remote Areas Favor American Films

The use of motion pictures and radio were seen as great assets in raising the educational level of people in backward areas by a team of the Foreign Missions Conference of North America which has just returned here. Heading the team, which conducted a worldwide survey of audio-visual aids, were the Rev. S. Franklin Mack, Rev. Everett C. Parker and Niklaus Hagmann. They pointed out that in most countries visited, they found that "people would go anywhere to see an American film."

Review

"Dream Girl"

(*Paramount*)

IN THE COURSE of its whimsical ramblings, "Dream Girl" turns up a generous quota of laughs, making it a prudent choice for showmen interested in popular entertainment. A Mitchell Leisen production starring Betty Hutton, it has been adapted to the screen from the Elmer Rice hit Broadway play of the same name. The story is generally an engrossing and enjoyable one, though not without moments when characterizations seem fashioned from standard conceptions.

Versatile Miss Hutton plays in grand fashion the dream girl, who, to escape humdrum reality, takes flight into the world of fantasy. And thus, all sorts of wonderful interludes enter her life, until she meets Macdonald Carey, a glib-tongued newspaperman who, after some unsuccessful starts, teaches her the joys of reality.

The film is best when it brings to pictorial life some of Miss Hutton's hallucinations. At one point she fancies herself taking up life with a married cad, becoming involved in a marital scandal, and then descending gradually into the lower depths. At another point Miss Hutton finds herself marrying his sister's divorced husband and living the life of a backwoods hillbilly. At still another point she saves the day for opera lovers by going on stage at a moment's notice and wading triumphantly through Madame Butterfly. Under Leisen's direction, effective support is given by Patric Knowles, Virginia Field and Walter Abel. P. J. Wolfson produced.

Running time, 85 minutes. Adult audience classification. Release date, July 27, 1948.

MANDEL HERBSTMAN

Enterprise, M-G-M in Distribution Talks

HOLLYWOOD, May 5.—Negotiations are under way for the release of at least four Enterprise pictures by M-G-M during the next year, it is understood. A preliminary agreement has been drawn up, but has not yet been signed. Enterprise's current distribution arrangement is with United Artists domestically and Loew's International abroad.

First three of the Enterprise films which would go to M-G-M are: "No Minor Vices," "Tucker's People" and "Wild Calendar."

Food Giveaways in Canada to Aid B.O.

OTTAWA, May 5.—Taking full advantage of rising food prices and the price-consciousness of the public, some Canadian theatres have inaugurated "Family Food Nite," offering large hampers of groceries free as prizes to boost attendances. Reports indicate the idea has proved successful in some instances.

Mexican Studio Burns

MEXICO CITY, May 5.—Motion picture production here has not been noticeably affected by the destruction of the Azteca studios by fire this week since the four other studios in this zone are newer, larger and much better equipped to handle the little amount of production now under way. Damage by the fire is estimated at $1,000,000.

Rank's 'Murderer' Reviewed June, '47

J. Arthur Rank's "Dear Murderer" was trade-shown here this week by Universal-International. The picture was reviewed in *Motion Picture Daily* on June 20, 1947, when Peter Burnup, London editor of this publication, described it as "a slick, subtle and sly spine-chiller, warranted to keep customers of all categories fast to their seats."

House Committee's Report a Best-Seller

WASHINGTON, May 5.—The House Un-American Activities Committee's report on the hearings on alleged Communist infiltration of the motion picture industry bids fair to be a best-seller.

The committee originally printed 1,500 copies. These are now gone, and the committee is seeking House approval to print another 7,000 to meet "requests from all over the country."

Reverse Court Rule In Leslie - WB Case

LOS ANGELES, May 5. — The California Supreme Court, in a divided opinion, has reversed lower court rulings sustaining Joan Leslie's contention that her Warner contract, entered into while a minor, had become inoperative when she turned 21 years of age. Miss Leslie's counsel indicated an appeal to United States Supreme Court would be taken.

First of 27 Drive - in Theatres for Reade

Construction of the first 27 drive-in theatres to be built by Walter Reade Theatres in 1948-1949 in four mid-Atlantic states is underway at Woodbridge, N. J. This phase of the circuit's operations marks the entry of the organization into the drive-in field.

Julius Daniels, Reade city manager in Perth Amboy, will supervise the new 950-car drive-in, which is expected to be in operation in mid-June.

Settle Drive-in Infringement Suit

Patent-infringement suit filed on Oct. 18, 1947, by Park-In Theatres, Inc., Camden, against Skyview Theatres, Jacksonville, charged with infringement of Park-In's basic Hollingshead patent on drive-ins, was recently terminated when Skyview agreed to take a license from Park-In.

Sherman Signs Foster

HOLLYWOOD, May 5.—Harry Sherman has signed Preston Foster for the lead in "Irish," his next film.

Trumbo

(*Continued from page* 1)

tinued Trumbo's bail of $1,000 pending sentencing. Defense attorneys announced they would file a motion for a new trial.

The 42-year-old author of numerous Hollywood films received the jury's verdict without emotion. He told newsmen later that he anticipated conviction. Trumbo faces a maximum sentence of one year in prison and a fine of $1,000 on each of two counts.

Justice Pine instructed the jury to base its verdict on whether or not Trumbo had refused to give a "responsive" reply to either or both of the questions.

Judge Pine's Charge to Jury

These questions were proper, said Pine, and Trumbo was required to answer them. Pine added that the defendant had the right to make known his objections to the questions, but that he did not have the right to elaborate upon them.

In his charge, Pine emphasized that the committee was authorized under the law to conduct the investigation of Communist infiltration into the motion picture industry, that committee chairman J. Parnell Thomas had the right to name a sub-committee, and that the committee members present when Trumbo testified constituted a legal tribunal.

The judge told jury members they were not to consider whether or not Trumbo has ever been a Communist, the manner in which the committee conducted its hearings, or whether an attempt was being made to blacklist the writer from future studio employment.

Both Sides Sum Up

Assistant U. S. Attorney William B. Hitz summed up the Government's position by stating that "to say he intended to answer is ridiculous and an insult to the intelligence of the jury." He ridiculed defense contentions that Trumbo had been wronged by not being allowed to cross-examine adverse witnesses who accused him of being a Communist. Hitz declared he could have denied these charges when he took the stand during the hearings.

Defense attorneys Charles Houston and Robert Kenny orated for an hour and a quarter attempting to convince the jury that Trumbo was replying to the questions when he was removed from the stand by Thomas. The refusal, Houston said, came from the committee, not from Trumbo. He likened the conduct of the hearing to "a lynching," "a pillory," and to placing a man in "a goldfish bowl and holding him up for all the world to see."

Maltz Trial Set for Today

Albert Maltz, third of the 10 Hollywood writers, directors and producers cited for contempt by the committee, is supposed to go on trial before Judge Pine tomorrow morning. Defense attorneys were instructed to obtain a bed-side deposition from Representative Thomas, who is still hospitalized, but they were unable to obtain the deposition today because his condition would not permit questioning. Counsel will ask Judge Pine for a continuance of the trial if Thomas's physician testifies tomorrow that taking of the deposition must be delayed further.

FIRST NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 89 — NEW YORK, U.S.A., FRIDAY, MAY 7, 1948 — TEN CENTS

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MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

TOA Aims At Membership of 11,500 Houses

Expects Organizing Will Be Completed Next Year

Theatre Owners of America expects to complete its national organizing in a year, Robert W. Coyne, executive director, has revealed.

TOA's blueprint of organization, Coyne said, calls for some 43 individual units representing a total of about 11,500 member theatres. The present 28 units represent a claimed total of about 9,000 theatres.

A Washington State unit is likely to be organized next by TOA, Coyne indicated. In that state and a number of others, including Utah, Wyoming, Michigan, Western Pennsylvania, Nevada and Iowa, TOA has a substantial number of member theatres which have yet to set up organizational machinery. TOA headquarters here intends to intensify its efforts from now on toward encouraging theatres to organize, Coyne said, observing that "it

(Continued on page 3)

NLRB Disqualifies 30 In Colosseum

The Colosseum of Motion Picture Salesmen will lose about 30 members under the new National Labor Relations Board ruling that branch sales managers cannot be included in the union along with salesmen, a distributor spokesman estimated here yesterday. The salesmen's union previously reported a membership of 850.

The board's ruling on branch sales managers hit the Colosseum hardest in the area of its leadership. The union will now have to elect a new president, for A. W. Van Dyck, Colosseum president, is a 20th Century-Fox branch sales manager in

(Continued on page 6)

Kalmenson District Meeting Ends Today

Ben Kalmenson's meeting of Warner district managers will wind up at the home office today. Under discussion were sales policies for "Silver River," "Wallflower," "The Big Punch" and "Romance on the High Seas."

District managers who attended were: F. D. (Dinty) Moore, Eastern

(Continued on page 3)

All US Production In Britain Is Sifted; U.A. Plans Stymied

LONDON, May 6. — United Artists' recently announced plans to lease Shipman's Riverside Studio here for an ambitious British production program have been stymied, along with other American plans to obtain studios, by the insistence of Parliament that American production with accumulated blocked sterling be not allowed to get out of hand here.

The U.A. studio lease, and others in process of negotiation, now will have

(Continued on page 6)

Albert Maltz Trial Delayed to Monday

WASHINGTON, May 6.—Trial of Albert Maltz, third of 10 Hollywood writers, producers and directors to be tried here on charges of contempt of Congress, has gone over until Monday to give Government and defense attorneys a chance to agree on certain defense claim stipulations.

The agreement will put into the Maltz trial record the challenge made to the local method of jury selection by defense attorneys in the trials of Dalton Trumbo and John Howard Lawson. These claims will then be in

(Continued on page 6)

BOT Publication of Pact Awaits Allport

London, May 6.—The British Board of Trade will be unable to publish the official *ad valorem* tax settlement agreement until after Motion Picture Association of America representative F. W. Allport returns from the U. S. with details on the uses intended to be made of unremittable funds under the agreement, British government officials report.

Allport is due to return on May 13.

Tax-free Divestiture 'Too Controversial'

WASHINGTON, May 6.—Leaders of the House Ways and Means Committee today said they thought a proposed change in the tax laws backed by Paramount and other theatre-owning distributors was "too controversial" to be included in the tax revision bill to be reported soon.

The proposal would make tax-free any gain realized in selling theatres under a court divestiture order providing that the proceeds were reinvested in other theatre properties.

Treasury opposition to the proposal

(Continued on page 3)

Television Structure Is Overhauled by the FCC

'Chaotic Conditions' Cancel MPF Meeting

Impact of the Supreme Court decision in the industry anti-trust suit has caused cancellation of the Motion Picture Foundation trustees meeting which was scheduled to be held here next Tuesday and Wednesday.

MPF president E. V. Richards, Jr., yesterday sent the following wire to all trustees: "In view of uncertain and chaotic conditions created by the court decision we consider it advisable to postpone that meeting of MPF trustees scheduled for next week. All of us hope that conditions will clarify so that we may proceed with plans as soon as possible."

WASHINGTON, May 6.—The Federal Communications Commission today issued several orders overhauling the entire television structure. Most of them represented marked video victories.

Effective June 14, television broadcasters will no longer have to share channels with non-broadcasting services. Moreover, the 72-to-76 megacycle band, which has been a source of constant interference with television broadcasts, has been assigned to fixed services, which will practically remove all interference. Channel No. 1 has been taken away from television and assigned to non-Government fixed and mobile services, but video representatives who opposed such a step have testified they would not feel too badly about losing this channel if the 72-to-76 megacycle band interference were removed.

The Commission, in addition, set for hearing beginning Sept. 20 the possibility of utilizing the 475-to-890

(Continued on page 7)

Decision Seen Ending Upped Priced Films

Attorneys See Hazards For Non-Defendants

Industry attorneys, conceding that defendants in the Paramount case are effectively barred by the Supreme Court decision from establishing advanced admission price policies for their films, are divided as to whether the restraint applies as effectively to non-defendants.

Some attorneys hold that the Selznick Releasing Organization, a non-defendant in the Paramount case, is free to pursue the advanced admission policy but that another independent producer, Samuel Goldwyn, for example, releasing through a defendant distribution company, could not do so. If the producer were to release through

(Continued on page 3)

Goldman Will Press $8,400,000 Action

PHILADELPHIA, May 6.—William Goldman said here today that he will press a second action now pending in District Court here against distributors, seeking damages of $8,400,000, covering the period between December, 1942, and December, 1946.

Goldman, whose first suit covering the period from November, 1940, to December, 1942, was upheld last Monday by the U. S. Supreme Court, charged that "a monopoly still exists in the film industry," adding that "the only solution is a divorcement of distribution and exhibition.

Civic and Industry Friends Honor Levy

NEW HAVEN, May 6.—Top Connecticut officials, including Governor James C. Shannon and Lieutenant-Governor Robert Parsons, were among the some 150 civic and industry friends of Herman Levy who honored him at a dinner here tonight in recognition of his election some months ago to the post of general counsel of Theatre Owners of America. The affair was held at the Race Brook Country Club here.

Ted Gamble, TOA president, represented the motion picture industry in

(Continued on page 3)

Personal Mention

WILLIAM WILDER, ANATOLE LITVAK and IRVING PICHEL are among those who will leave here today for Europe on the *SS Queen Mary*. Others sailing are IRENE SELZNICK, NIGEL BRUCE and MRS. BRUCE, GUY BOLTON and RICHARD ADDINSELL, film composer.

•

SIDNEY HOREN, 20th Century-Fox International representative for Spain, Portugal and Spanish North Africa, and DAN LEDERMAN, who recently resigned as managing director for the Philippines, are in New York from their respective headquarters.

•

GEORGE GIVOT, screen, stage and radio star, has completed a program of 156 transcriptions for radio, following a personal appearance tour with RKO Radio's "Riff Raff," in which he is featured.

•

LEON J. BAMBERGER, RKO Radio sales promotion manager, is due back here today from Little Rock, where he attended the Independent Theatre Owners of Arkansas convention.

•

JOSEPH S. HUMMEL, Warner Continental manager, was made a member of the French Legion of Honor Office in Paris this week.

•

MACDONALD CAREY, Paramount actor, is expected here over the weekat ceremonies at the French Foreign end from Hollywood.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, who is in Pittsburgh from New York, is due back in town over the weekend.

•

ROBERT E. SHERWOOD, screen writer, who arrived in New York Wednesday from England, plans another trip there in two weeks.

•

E. ALLAN WILLIFORD, vice president of General Aniline and Film Corp., will leave here Tuesday by plane for the Coast.

•

IRVING BERLIN, who will return to New York Monday from the Coast, will observe his 60th birthday on Tuesday.

•

WILLIAM E. OSBORNE, Monogram representative in the Far and Middle East, will leave here this month for a tour of his territory.

•

WILLIAM PINE of Pine-Thomas Productions will leave here today by plane for the Coast.

•

WOLFE COHEN, Warner International vice-president, has returned to New York from the Far East.

•

VERONICA LAKE is due in New York over the weekend from Hollywood.

•

AL JOLSON is in New York from the Coast.

•

JULES LEVEY has returned to New York from Europe.

Insider's Outlook

By RED KANN

HOW the Supreme Court decision strikes them:

Attorney General Clark expects complete divorcement or at the "very least" partial divorcement bolstered by a ban on cross-licensing.

Allied general counsel Abram F. Myers thinks it points to "divestiture in a big way," opens the market to new producer-distributors, ends "artificial product shortages."

Sam Goldwyn sees the death throes introduced for "illegal tactics of exhibition monopolies which have been drying up the well of production."

Many industry attorneys predict distributors will be safer by not selling circuits as circuits but by individual theatres if they would avoid anti-trust suits springing out of allegations of unfair clearance or discriminatory sales practice. They also lean on their own interpretation that booking combines are ended.

Justice Department attorney Robert Wright thinks the Government won divestiture and that now it is merely a matter of determining which theatres and where located.

An undesignated industry advisor, taking the dissident viewpoint, regards divestiture as "still pretty open."

TOA president Ted Gamble holds a new blueprint for industry conduct has been established.

TOA general counsel Herman Levy warns unpredictables may yet come, perhaps including a selling plan as obnoxious as most exhibitors found competitive bidding, now outlawed.

■

Boiled down, these are stories already reported in MOTION PICTURE DAILY. Do not let them discourage you. Under the force of all of the circumstances, they represent a tiny vanguard of the army of interpretation, viewpoint, argument, analysis and even guesswork which will be on the march until this now 10-year-old litigation is settled. There is plenty of speculation on when that may be.

The fact—the irrefutable, indisputable and immutable fact—is that, barring issues like minimum fixed admission prices, pooling arrangements, master agreements, competitive bidding, etc., the pattern remains to be woven.

There are considerable areas in which to ponder what the pattern will be, but they are littered with all kinds of question marks.

■

It is inevitable that confusion has set in. It makes understandable how widely divergent the points of view can be, for it is well to remember that the floodtide of thinking set in motion by the decision seeks not alone to interpret the application of that which the Supreme Court has ruled. It also seeks to probe into the attitudes which the New York court may assume and the processes which it may pursue.

This is like skimming along never too bravely on thin ice.

■

In the history of the case is the decree of the New York court. In the history of the future there now enters that portion of the Supreme Court decision which a number of thoughtful observers hold to be of considerable significance. It must be quoted:

"The competitive bidding system was perhaps the central arch of the decree designed by the District Court. Its elimination [ordered by the high bench] may affect the cases in ways other than those which we expressly mention. ["Cases" refers to the Paramount, Schine and Griffith decisions, all handed down last Monday].

"Hence on remand of the cases the freedom of the District Court to reconsider the adequacy of decree is not limited to those parts we have specifically indicated."

The italics are ours, projected into emphasis on the interpretation, presumably clear, that the New York court is empowered —if not ordered—to start from scratch in all areas barring those on which the Supreme Court has dropped the final curtain.

But this is an interpretation, too, no less valid or more invalid than the rest.

Close Far Eastern Deal

Allied Artists-Monogram has closed with Middle East Motion Picture Co. for distribution of the producers' films in Egypt, Syria, Palestine, Lebanon, Iran and Iraq.

Art Magee Elected

TORONTO, May 6.—Art Magee, manager of the Oxford here, has been elected president of the B. and F. Theatre Managers Association. Murray Sherriff is secretary-treasurer.

State Dept.'s Henry Is Sent to Damascus

WASHINGTON, May 6.—In a surprise move, State Department film adviser R. Horton Henry has been transferred to Damascus, to work on a "special project" completely unrelated to the motion picture industry.

Henry replaced George Canty last February. He admitted today that the department might classify his new assignment as "temporary" and that he might return later to his film post, but the change is permanent enough that he plans taking his family with him. Henry said he hoped to break in a successor before he left but had no idea who that might be.

H.H.Tonks Named U-I Far Eastern Chief

Joseph H. Seidelman, head of foreign operations for Universal-International, has appointed Herbert H. Tonks, U-I manager in Philippines to the post of Far East supervisor, over the Philippines, China, Hong Kong, Korea and Japan.

Tierney Succeeds Horne

David D. Horne, assistant treasurer-secretary of Monogram International, has resigned, it is announced by president Norton V. Ritchey, and James J. Tierney has assumed his duties as manager of exchange operations. Irving Karpinos has been installed in Tierney's former position as head of accounting.

Canada Tax Revenue Up

OTTAWA, May 6.—Amusement tax collections in Canada for March rose to $1,495,796, compared with $1,166,031 in the previous month.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer TRACY Katharine HEPBURN Van JOHNSON
Angela LANSBURY Adolphe MENJOU Lewis STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS. • SECOND WEEK
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

Vivien LEIGH
Anna Karenina
A London Film Production
Released by 20th Century-Fox
ON STAGE!
ROXY 7th Ave. & 50th St.
LARRY ADLER · PAUL DRAPER

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Johnson Notes Move Back to the Majors

With independent producers finding it increasingly more difficult to get backing from the banks, "many are returning to the majors," Nunnally Johnson, producer-writer and head of the production unit, Interjohn Corp., declares. As a result, he observed, better pictures are likely to be made, since, with the majors, greater risks can be taken generally. Other favorable factors noted are the likelihood of getting better sets and talent.

Declaring that now, as always, a good story is basic to a successful picture, he said that one top problem in production "is to find a decent story at a fair price." Johnson's next film, set for August release through Universal-International, is "Mr. Peabody and the Mermaid." His contract calls for three more after that. Johnson, who was here on a visit, has returned to Hollywood.

Kalmenson Meeting

(*Continued from page* 1)

district; Sam Lefkowitz, New York Metropolitan; Robert Smeltzer, Mid-Atlantic; Charles Rich, Central; Harry A. Seed, Midwest; Hall Walsh, Prairie; John F. Kirby, South East; Doak Roberts, South West; Henry M. Herbel, West Coast, and Haskell M. Masters, Canada. Home office executives who attended the meetings included: Mort Blumenstock, Jules Lapidus, Norman Ayres, Roy Haines, Norman H. Moray, Ed Hinchy, Mike Dolid and Bernard R. Goodman.

Stewart McDonald Holding a Warner Theatre Meeting Here

W. Stewart McDonald, vice-president of Warner Theatres, is presiding over a two-day meeting of contact managers at the company's home office.

Home office executives attending include: James M. Brennan, Frank J. Kiernan, J. A. Cullina, Neal Coogan, Al Arre, Phil Narod, Bernard Rosenzweig, Ray Ayrey, R. O. Ericson and S. F. Juergan. Contact managers attending include: James P. Faughman, Karl Heyl, R. W. Knepton, L. E. Dennis, J. A. Bracken, J. Ellis Shipman, D. M. Stadler, B. W. Steerman, C. E. McGowan, Oscar Gilbertson, L. L. Weinsz and Sol Abramoff.

AAA Gets Prudential Clearance Complaint

NEW HAVEN, May 6.—Prudential Theatres, operating the Playhouse theatres in Darien and New Canaan, has filed a clearance complaint against five major distributors with the American Arbitration Association.

Complainant seeks elimination of the 30-day clearance which South Norwalk has over Darien and New Canaan, and asks that the 30-day clearance which Stamford has over Darien and New Canaan be cut to seven days. Attorney William Gold filed on behalf of Prudential.

Work Denies Suit Charges

Clifford Work, one of five Universal director defendants in the Stephen Truncale minority stockholder suit charging improper stock transactions, yesterday filed in Federal Court here a denial of charges and a request that he be dismissed from the litigation. Work claims that he realized no stock profits within the period governed by the plaintiff's amended complaint.

Review

"The Iron Curtain"

(*20th Century-Fox*)

THE on-his-toes showman gets something into which he can sink his exploitation molars in "The Iron Curtain." Its title is familiar through limitless newspaper stories and its story, based on the Soviet espionage plot in Canada two years ago, is an interesting enough spy melodrama to stand on its own even if it had been entirely fictional.

In the semi-documentary format of "Call Northside 777," the picture cites as its authority the findings of the Royal Commission which brought about conviction of a number of Canadian citizens and attaches of the Soviet Embassy at Ottawa. No doubt ingredients were added in order to build up the personal story of Igor Gouzenko, the cipher clerk who finally exposes the plot to the Canadian authorities.

Dana Andrews plays Gouzenko through whose hands there passes for transmission to Moscow information about the atomic bomb. The conspirators are varied and include members of Parliament, scientists, clerks in top secret government bureaus, Army men and Communist Party members proceeding under the direction of Berry Kroeger. Andrews determines to expose the plot when he concludes Soviet policy is heading for war. For his reward, Canada becomes his permanent home, under official protection.

Actual exteriors were photographed in Ottawa and, of course, reflect authenticity. In pace, "The Iron Curtain" lacks speed but not interest, until the approximate final two reels. Performances are good although Gene Tierney as Andrews' wife is called upon sparingly. Kroeger does best of all among the supporting players who include June Havoc, Stefan Schnabel and Edna Best. William A. Wellman directed competently for producer Sol C. Siegel. Milton Krims was responsible for the screenplay and Alfred Newman for an effective music score compiled from works of leading Soviet contemporaries.

Running time 89 minutes. General audience classification. May release.

NY Newspaper Guild Award Cites Industry

Eric Johnston, Motion Picture Association of America president, was presented with a "Page One Award" Wednesday night by the Newspaper Guild of New York which cited the industry for recent films "which have gone far to further racial tolerance . . . and because of the general excellence of those films." The Guild specifically named "Gentleman's Agreement," "Crossfire" and "Body and Soul."

Francis S. Harmon, MPAA vice-president, accepted the award for Johnston. Other awards went to Elia Kazan for his direction of "Gentleman's Agreement," and David Wechsler, producer of "The Search."

Johnston on Video For Family Parley

WASHINGTON, May 6.—Motion Picture Association of America president Eric Johnston went before the NBC television cameras tonight for a brief question-and-answer program on the National Conference on Family Life. Johnston is presiding over the conference, which opened yesterday and runs through Sunday.

Elect Edwards, White To MPAA Committee

Madeleine White of Allied Artists and Steve Edwards of Republic were elected to the advertising and publicity directors committee of the Motion Picture Association of America at a meeting of the committee held here yesterday. Their respective companies recently joined the MPAA.

Joseph F. Gabel

Joseph F. Gabel, a member of Eastern Motion Picture Assistant Directors Union, 'IA' local No. 161, died here suddenly Tuesday night. Burial will be Saturday from Boyertown Funeral Parlor here.

Tax-free Divestiture

(*Continued from page* 1)

touched off more than an hour of bitter debate in the Ways and Means Committee last night, and a move by Representative Gearhart of California to put the change in the tax bill was voted down by a voice vote. An informal agreement was then reached to let the change ride for this session, but Gearhart said today he still might press for action this year at later committee meetings.

"If Gearhart brings the matter up again," one high-ranking Republican said, "we'll have to consider it, of course. But I don't think it will get anywhere. The change would make this tax bill so controversial as to kill the bill's chances of passage, and we don't want that."

Under-secretary A. L. M. Wiggins, who voiced the Treasury's opposition, distributed to the committee members copies of Monday's Supreme Court decision in the Paramount case, and cited large portions to show that the court had found the "Big Five" guilty of monopoly. Such violations of the law, Wiggins said, should not be rewarded by special tax treatment.

"It looks as though we killed the move," one Democratic member of the committee said today. "But I am sure it'll be back again next year."

Levy Honored

(*Continued from page* 1)

his formal testimonial to Levy. Ted Jacocks was master of ceremonies.

In his talk, Gamble said that TOA today has 9,000 theatres among its members, representing two-thirds of the seats of the nation and an investment of $2,000,000,000.

Others on the dais were Attorney General William L. Hadden, Mayor William C. Celantaro of New Haven, and Julius Martz of the New Haven County Bar Association.

'U' Directors Meet

Discussion of the Supreme Court decision in the industry anti-trust suit highlighted a meeting of the Universal board of directors here yesterday.

5th-Walnut Pre-trial Session Here Today

Attorneys for the distributor defendants and the plaintiff Fifth and Walnut Amusements will hold a pre-trial conference before Federal Judge Vincent Leibel here today. The $2,100,000 triple damage anti-trust suit, in which the plaintiff charges distributors refused to permit its National Theatre in Louisville to bid on first-run product, is scheduled to go to trial in U. S. District Court here on Monday.

Decision

(*Continued from page* 1)

a non-defendant company, however, the restraint again would not apply, attorneys say.

The example has added interest in view of current reports that Goldwyn, on conclusion of his current distribution deal with RKO Radio, might align with a non-defendant distributor. According to reports, he has discussed with Robert R. Young the possibility of an affiliation with Eagle-Lion.

Cite Court on Price-fixing

However, attorneys who claim the restraint upon advanced price policies applies equally to defendants and non-defendants alike, point to that part of the Supreme Court decision in the Paramount case which holds a price-fixing combination to be illegal *per se*.

The high court in its opinion referred to the recent Gypsum Co. case in which it held that patent licenses containing price-fixing agreements are illegal. Justice Douglas asserted in the Paramount decision, "Certainly the rights of the copyright owner are no greater than those of the patentee."

Film attorneys claim that is a blanket prohibition against price-fixing in all motion picture licenses, whether of defendants or non-defendants and assert that any aggrieved exhibitor who had licensed an advanced admission price film from anyone could invoke the law in his behalf and collect any provable damages.

Study Return to Group Selling

At least one defendant company, it was learned yesterday, is now studying the possibility of returning to group picture selling. The problems involved, a company executive said, are primarily the avoidance of granting discriminatory terms of any nature and restraining salesmen from doing anything which might be construed as conditioning the sale of one picture on the purchase of another.

TOA Membership

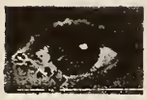
(*Continued from page* 1)

requires more work to sweep in the strays, so to speak, than it did to 'sign up' units at the outset."

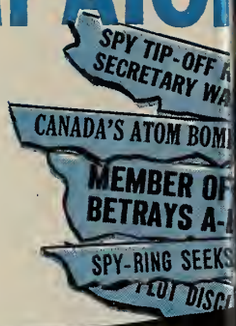
TOA now has units in New England and the following states: Alabama, Arkansas, Mississippi, Tennessee, California, Connecticut, Florida, Georgia, Illinois, Kansas, Missouri, Kentucky, Nebraska, New York, New Jersey, New Mexico, North and South Carolina, Oklahoma, Pennsylvania, Delaware, Rhode Island, Texas, Virginia, West Virginia and also Washington, D. C. A few states have more than one unit, while in some cases two or more states comprise a single unit.

ALL EYES ARE ON THE AD!

27,799,467 people (actual paid circulation) will read this ad in 112 of America's greatest Sunday newspapers this week!



ALL EYES ARE ON THE CAMPAIGN



One of the most highly concentrated publicity barrages in all history, a result of months of scientific planning in the 20th showmanship tradition, started May 2nd and builds ever greater!

ALL EYES ARE ON THE 500 OPENI

In one week—the week of May 10th—a 500 theatre day-and-date World Premiere right across the nation!

ALL EYES ARE ON "THE IRON CURT

The most sensational and timely subject ever brought to the screen! The very newest and very best in the great filmed-from-life technique introduced and made famous by 20th Century-Fox!

Darryl F. Zanuck presents

DANA ANDREWS
GENE TIERNEY

THE IRON CURTAIN

with June Havoc · Berry Kroeger
Edna Best · Stefan Schnabel · Nicholas Joy
Eduard Franz · Frederic Tozère

Directed by
WILLIAM A. WELLMAN

Produced by
SOL C. SIEGEL

Screen Play by Milton Krims · Based on the Personal Story of Igor Gouzenko, Former Code Clerk, U.S.S.R. Embassy in Ottawa, Canada

20th CENTURY-FOX

U. S. Producers to New Australian Unit

A plan to film stage shows for worldwide distribution has been started in Australia by David N. Martin of Tivoli Theatres, Sydney, the New York office of the Australian News Bureau reports.

American producer Bernie Foyer has arrived in Sydney to take charge of the first. Al Rosen will go to Australia from Hollywood to produce another.

British Firms Set to Produce in Canada

OTTAWA, May 6. — The J. Arthur Rank Organization and other British companies are preparing to make features in Canada. Authorities are encouraging such a move to conserve Canadian expenditures of American dollars. Inquiries indicate that the playing time of British films has risen considerably here in the past year.

UK Sifts

(*Continued from page* 1)

to await the formal approval if it can be obtained, of the Control Committee which will rule on all uses to which blocked sterling may be put by the American companies.

R. G. Somervell, influential Board of Trade official, it is generally understood here, will be the dominating influence on the new Control Committee, representing the British government view of the employable sterling uses as well as the needs of the British film industry. F. W. Allport, Motion Picture Association of America representative here, will represent American interests on the committee.

According to informed opinion here, Hollywood won't be allowed even to rent studio space without Somervell's approval.

Wilson told Commons recently: "There have been one or two American producers trying to rent, buy or lease studio space and, in my view, attempting to beat the pistol. That is contrary to the interests of British film production. I have informed Eric Johnston that we could not agree to the alienation of studio space until the agreement is published, the Control Committee set up, and the American production program seen as a whole."

NLRB Disqualifies 30

(*Continued from page* 1)

Chicago. His testimony at the hearing before NLRB officer Robert Silagi here last December was that such managers are not supervisors as defined by the National Labor Relations Act.

OF COURSE

you'll make money with...

"TEXAS, BROOKLYN and HEAVEN"

sent from UA

Reviews

"So This Is New York"

(*Enterprise—United Artists*)

A QUALITY of wonderful freshness pervades "So This Is New York," a satire of rare and lavish joy. Enterprise gave radio comedian Henry Morgan an auspicious entry into motion pictures in this screen adaptation of Ring Lardner's "The Big Town," providing him with a luxury of gags and subtleties that will keep Metropolitan audiences rocking with laughter. Small-town audiences, however, may not react with equal fervor to this brand of comedy. Rounding out the cast are Rudy Vallee, Hugh Herbert, Bill Goodwin and Leo Gorcey.

Set in the early part of this century, the story has Morgan, his wife, Virginia Grey, and her sister, Dona Drake, leave the quietude of their native South Bend for a fling in New York. The subsequent happenings, revealing how in their unsophistication they are stripped of their inherited fortune, form the core of the story. What follows in the unpretentious plot is a string of loosely-related sequences, similar to a series of clever radio skits.

The group first meets Jerome Cowan, a Wall Street manipulator who talks big but proves a bust. Next, as a possible marital prospect for naive Miss Drake, comes Herbert, a bachelor of wealth and, alas, eccentrictiy. A sequence with a handsome Texas ranger, Vallee, is next in line, followed by another episode with a jocky, Gorcey. The final tragic venture for the trio is a short-lived attempt to back a play. Having thus lived and lost much in the big city, the trio learn the hard way that there is no place like home.

As the patiently-harassed husband, Morgan goes through his role with exaggerated, though effective restraint. While there is nothing complex in the narrative development of the screenplay by Carl Foreman and Herbert Baker, Richard O. Fleischer has directed with a sure command of comic incident. Stanley Kramer produced.

Running time, 79 minutes. General audience classification. For May release.

MANDEL HERBSTMAN

"The Fuller Brush Man"

(*Edward Small Productions-Columbia*)

RED SKELTON fans, and a lot of others, will have a good time relaxing with this wacky concoction about the adventures of one of Mr. Fuller's well-known brush salesmen. The attraction makes very little sense, and logic is not one of its strong points. But all of this is by deliberate intent. "The Fuller Brush Man," based on a story by Roy Huggins, is supposed to be screwy in order to be funny. It succeeds on both these counts.

Skelton is the brush man, trying to make good in order to clinch his romance with Janet Blair. He runs into a murder situation and muddles his way through that one to a successful conclusion. The gags and the routines developed by Frank Tashlin and Devery Freeman in their script for execution by producer-director S. Sylvan Simon are profuse and alternating in effectiveness. Preponderantly, however, they are clever and climaxed by a fast-moving, completely crazy chase sequence in a waterfront warehouse where surplus war material is converted into the props. Skelton is the highlight and along with the gags, is the show. The remainder of the cast has little to do. Miss Blair, as the romantic foil, is satisfactory.

Running time, 93 minutes. General audience clasification. Release date, not set.

RED KANN

"River Lady"

(*Universal-International*)

AS a romantic outdoor drama about hard-ribbed lumbermen and scheming villains, "River Lady" is always diverting despite the story's transparency. Set in the latter part of the last century, with most of the action along the banks of the Mississippi, the film features Yvonne DeCarlo, Dan Duryea and Rod Cameron. Heightened value is given by Technicolor.

Revolving around Miss DeCarlo, a gambling boat proprietress who has a hankering for respectability, the story has her "buying" an important position for Cameron, with whom she is in love. When, however, he learns how be became head of the lumber camp, Cameron rebels and marries another, Helena Carter. Interwoven with this flimsy romantic conflict, the plot also presents Duryea as an oily mastermind who has a syndicate which is strangling independent lumbermen in the area. The action is kept at a brisk pace throughout by George Sherman's direction. With the aid of dynamite in a smash-up finale, Cameron cleans out the syndicate, and Miss DeCarlo becomes reconciled to losing Cameron to Miss Carter. The screenplay by D. D. Beauchamp and William Bowers, gives Miss DeCarlo the chance to sing a couple of songs and cavort about in some striking gowns. Leonard Goldstein produced. The story is from the novel by Houston Branch and Frank Waters.

Running time, 78 minutes. General audience classification. For May release.

M. H.

Swedish Series to 20th

A series of nature stories will be presented in a program of one-reelers which 20th Century-Fox will release this summer, it was announced by Peter Levathes, short subjects sales manager. They were prepared in collaboration with the A. B. Svensk Filmindustrie, Swedish organization, represented by Rudolph Carlson.

14% Wage Hike at Morris

A 14 per cent average wage increase, effective immediately, has been won by the Screen Office and Professional Employes Guild for some 60 "white collar" workers at the William Morris Agency here. Increases are for $5, $6 and $7 weekly. Negotiations had been reopened on a contract which had another year to run.

'It's Only Money', as One MGM Film Said

Washington, May 6.—Louis B. Mayer, M-G-M production executive and one of the nation's top money-earners, today authorized M-G-M's local manager, Carter T. Barron, to donate to charity the $2-a-day fee Mayer earned from the Government as a witness in the contempt of Congress trials of John Howard Lawson and Dalton Trumbo.

Albert Maltz Trial

(*Continued from page* 1)

the Maltz record as the basis of a subsequent appeal, without the need of repeating all of the arguments in court. Then, on Monday, the attorneys can get right down to picking a jury.

Judge David A. Pine granted the continuance. Earlier he had vacated his own order giving the defense the right to a get a deposition from House Un-American Activities Committee chairman Thomas, whose physician testified the New Jersey Republican was too ill even to give a deposition in the case. Pine also denied defense motions for a continuance of the trial until Thomas is well enough to testify, and for a change of the trial to another area.

Defense attorneys were given an extra five days, due to pressure of other affairs, to file a motion for a new trial in the case of Trumbo, convicted yesterday on two contempt counts.

Communist Curb Bill Set For House Debate Thursday

WASHINGTON, May 6.—House Republican leaders today decided to begin debate next Thursday on the House Un-American Activities Committee's bill to curb the Communist Party. A vote will probably come next Friday or early in the following week.

Strike Newsreels for House Labor Hearing

WASHINGTON, May 6.—The House Labor Committee, which will open hearings on "the right to work" here on Tuesday with producer Cecil B. DeMille as the lead-off witness, will be shown special newsreels showing recent strike violence, according to committee chairman Fred S. Hartley, Jr.

Hartley said DeMille will arrive here Monday from Hollywood.

90 - Station Video Network by 1952

A 16-station interconnected NBC television network, stretching from Missouri to Massachusetts, will be in operation by the end of 1948, it was announced by Frank E. Mullen, NBC executive vice-president, with the signing of Midwest affiliates KSD-TV, St. Louis; WWJ-TV, Detroit, and WTMJ-TV, Milwaukee.

By mid-1952 the 16 will be increased to a 90 - station Coast-to-Coast network.

Raibourn Promotes Four in Video Unit

Paul Raibourn, vice-president of Paramount Pictures in charge of television, has appointed Richard Hodgson director of technical operations for the television division. Hodgson has been with Paramount as technical assistant to Raibourn.

Carl Maurer of Paramount's television has been advanced to supervisor of development engineering; Walter Swenson was named supervisor of studio operations and Theodore Grenier was appointed supervisor of remote operations for theatre television activities.

Signal Corps Reserve Forming on the Coast

HOLLYWOOD, May 6. — Fred S. Meyer has been appointed chairman of a committee authorized by the Association of Motion Picture Producers to select a coordinator from among studio personnel to work on the establishment of a U. S. Army Signal Corps Reserve in Hollywood. Major General W. O. Reeder proposed such a unit and at recent informal conferences it was approved by major studios.

CBS Promotes Three

Three promotions at Columbia Broadcasting are described by Frank Stanton, president, as being directly related to expanding television operations and the integration of television with other CBS broadcasting activities. Lawrence W. Lowman, vice-president in charge of television, becomes a vice-president and general executive; J. L. Van Volkenburg, director of station administration, becomes vice-president and director of television operations; J. Kelly Smith, director of station relations, becomes vice-president in charge of station administration.

Weintraub in Video Post

Seymour Weintraub has been appointed director of television for Film Highlights, Inc., Martin Ross, president, announces. Explaining that it is the "first step in a large-scale television expansion program" planned by the company, Ross revealed that he is negotiating for 30 feature subjects to be released as a package for video presentation.

Next ATS Meet May 12

The American Television Society will discuss "The Independent Producer and Director in Television," on Wednesday evening, May 12, at New York's Willkie Memorial Hall.

Reviews

"Waterfront at Midnight"

(Paramount)

IN formula fashion, the producing team of William Pine and William Thomas made a shooting melodrama about cops and gangsters against a waterfront background, presenting William Gargan as a police lieutenant who matches wits with the underworld and finds it hard going at first. In support are Mary Beth Hughes, Richard Travis and Richard Crane. What the picture lacks in originality of incident is compensated for by action and excitement.

The original screenplay, devised by Bernard Girard, has the underworld group luring Gargan's brother into their criminal activities, thus creating a thorny predicament for Gargan. When the brother gets too troublesome for the thugs, they do away with him in a manner that suggests that Gargan did the killing. This precipitates Gargan's moral disintegration, but he makes a fighting comeback that sees the criminals jailed. Besides Miss Hughes as the gun-moll who is regenerated, female interest is further held up by Cheryl Walker as Gargan's wife. William Berke directed.

Running time, 63 minutes. Adult audience classification. Release date, June 25, 1948. M. H.

"Campus Sleuth"

(Monogram) *Hollywood, May 6*

PRODUCER-DIRECTOR Will Jason took on a stiff chore when he undertook to combine collegiate comedy, dance-band entertainment and a murder mystery, and it is not surprising that each of the three elements suffers from the intermittent emphasis on the others. The mystery suffers greater than the other two, although there is a lot of motion maintained and this may compensate for lack of cohesion. Freddie Stewart does most of the singing, and Bobby Sherwood's orchestra furnishes the band numbers, Sherwood appearing also as the murderer. Donald MacBride's performance of a police inspector is solid. Jason worked with a script by Hal Collins, based on a story by the latter and Max Wilson.

The picture opens at a college dance, with music by Sherwood's boys, and establishes the murder theme when a visiting photographer is choked to death outside the dancehall. The body, discovered by a student (Warren Mills), disappears and is whisked about for a time by a campus watchman who is an ex-convict. Emphasis is upon comedy and music most of the way from this point. Maurice Duke was associate producer.

Running time, 57 minutes. General audience classification. Release date, April 18.

U. S. Equipment Still Tops Canadian Mart

OTTAWA, May 6.—U. S. distributors of film and equipment have maintained their leadership here in the face of the serious U. S. dollar shortage, according to the Canadian government's report on imports for the first two months of 1948.

Up to March 1, this country imported $232,241 worth of projectors from the U. S. compared with $1,303 from Switzerland and $514 from the United Kingdom; cameras and camera parts, $85,315 from the U. S., $14,122 from Germany, $8,278 from the U.K.; positive film, $140,210 from the U.S., $21,801 from France, $15,710 from the U.K.; negative film, $18,144 from the U.S.

New RCA Projector For Telecasting

CAMDEN, May 6. — A new 35mm. sound projector which will enable telecasters to expand programming facilities by using 35mm. films has been developed by RCA.

The new type projects directly onto the pickup tube of a television camera for conversion to video signals, and is based on the Brenkert theatre projector.

3 Video Bids in Canada

OTTAWA, May 6.—Applications for three permits to erect television stations in Canada will be studied at public sessions here May 18-19 by the government - owned Canadian Broadcasting Corp.'s board of governors. It will be the first time the board will study such applications.

Video Overhauled

(Continued from page 1)

megacycle band for black and white, color or both types of television. Television broadcasters have long contended they must be allowed to expand soon into these upper reaches.

Hearings Set for June 14

Finally, the Commission has set June 14 for hearing proposals to revise the allocation of the existing 12 channels. Most of these proposals are designed to insure more effective use of the channels, taking channels away from areas where they are not being used, and giving additional ones to areas where the demand exceeds supply.

The Commission today announced also a proposed rule graduating the length of time television stations must give programs each week in proportion to the length of time the station has been in operation.

The rule, which presumably will be made final in the near future, relaxes a previous FCC proposal, and represents a victory for the Television Broadcasters Association, which asked for the graduated scale.

Provisions for Program Rule

The FCC rule would require stations to present programs for not less than two hours a day, five days a week, and not less than 12 hours a week, during the first 18 months of operation. This would be increased to 16 hours a week during the next six months, to 20 hours during the next six, and to 24 hours after 30 months of operation. After three years of operating, stations would be required to give programs not less than two hours a day, seven days week, and not less than 28 hours a week.

Jack Kirsch

president, Allied Theatres of Illinois, Inc., says:

"ALTEC HELPS US KEEP PEOPLE COMING INTO OUR THEATRES"

"It is easy for me to explain why I consider Altec Service a friend of our business. The Altec engineer's entire career is concentrated on preserving our equipment and getting the full value out of it, and keeping our replacement costs and our operating costs at a minimum. The Altec research men, furthermore, are always analyzing the technical weaknesses which cause breakdowns, and developing corrective measures to keep them from happening. Altec helps us keep people coming into our theatres, —not going somewhere else for entertainment."

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THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

We think this is one of the most *remarkable* raves ever printed in a top-ranking newspaper!

LOS ANGELES
HERALD and Express
INDEPENDENT NEWSPAPER
Largest Daily Circulation in the West's Largest City

By JIMMY STARR
Motion Picture Editor

Last Tuesday night I saw a mint in celluloid...a picture that literally rocked the Ritz Theater with laughs and excitement —REAL entertainment...the King Brothers—Frank and Maurice came through with a ditty called "The Dude Goes West" that is as refreshing and as new as the morning dew...

It's something different...even the tried and true audience at the Ritz Theater thought so, too...with tongue-in-cheek, authors Richard Sale and Mary Loos have told a western story in a delightful unique manner... and Director Kurt Neumann caught their gay, whimsical spirit —as did the performers—and the result is truly an outstanding motion picture...

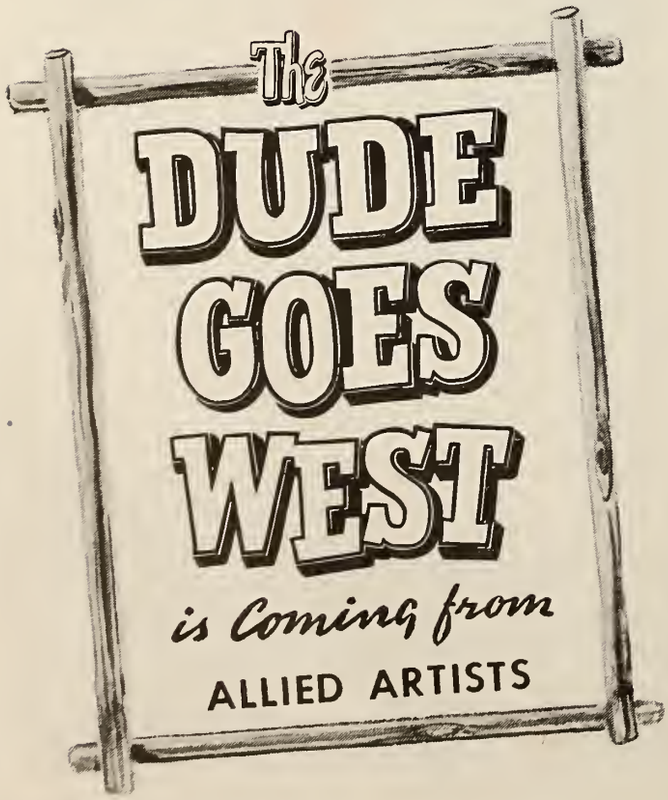
It's the kind of movie that will make you laugh on the way home, instead of thinking of the grocery bill or why film plots usually are so dull...

Eddie Albert and Gale Storm are expert as the leads in the picture, and are splendidly supported by James Gleason, Binnie Barnes, Barton MacLane, Gilbert Roland, Olin Howlin, Douglas Fowley, Edward Gargan and many others...

Albert portrays the timid soul (from Brooklyn, no less) who goes West and practically outwits bandits, Indians (hey, kid, this is great shootin') and the girl who says she'll "never marry him until Death Valley freezes over)...

Congratulations to Allied Artists, the King Brothers and everyone who had anything to do with this genuine giggle-getter...

* * *



Allied Artists
PRODUCTIONS

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 90 NEW YORK, U.S.A., MONDAY, MAY 10, 1948 TEN CENTS

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DO NOT REMOVE

Retain 11.17% Bonus Now in Effect: Studios

Producers Counter 'IA' Bid in New Pact Talks

HOLLYWOOD, May 9.—Continuation of the current 11.17 per cent cost-of-living payments to studio employes until Aug. 10, 1949 has been offered by the producers in the course of negotiations for a new contract with IATSE, it was disclosed here at the weekend in a joint statement by Charles Boren, representing the Association of Motion Picture Producers, and Roy Brewer of IATSE.

The announcement, which said that meetings would continue after the union has had a chance to study the counter-proposal by the studios, was issued after a meeting here Friday between Boren and Brewer.

The producers' offer also provides that IATSE could reopen negotiations if the national Bureau of Labor Statistics shows that the cost-of-living index has risen to a point equalling 15 per cent during the pact. The 11.7 per cent payments have been in effect since Jan. 1, 1947.

Myers Sees 'Flood' Of Anti-trust Suits

WASHINGTON, May 9.—Allied States chairman Abram F. Myers predicts "a flood of damage suits" as a result of the Supreme Court's refusal to review the Goldman Theatre case. Myers said that one of the great difficulties in damage suits had always been inability to prove damages. "The Jackson Park decision partly cleared that up," he stated, "and the Goldman decision removes the last problem for damage suits: how to get a decision for a theatre that has never opened."

The Allied official stressed that he

(*Continued on page* 5)

Permits Inspection of Percentage Books

Permission for inspection of records of theatres in the Eisenberg and Cohen circuit was granted here at the weekend by Judge Knox in U. S. District Court in separate percentage actions brought by Loew's and RKO Radio. Defendants are Sidney Cohen, Philip Eisenberg, Rhinebeck Theatres and Millerton Amusement Corp.; theatres involved are the

(*Continued on page* 5)

Heineman Sets Four E-L Sales Meetings

Eagle-Lion distribution vice-president William J. Heineman will conduct four district sales meetings this month, the first slated for next Saturday and Sunday in New York, to be attended by 10 Eastern branch managers. Next meeting will be held in Chicago, May 22-23. A New Orleans meeting will be held May 24, and one in San Francisco on May 29.

W. J. Heineman

Advertising - publicity vice-president Max E. Youngstein and assistant general sales manager Jack Schlaifer will join Heineman at all of the meetings.

Eagle-Lion plans to extend to J.

(*Continued on page* 4)

TOA's Youth Month Pledged Reels' Aid

The Theatre Owners of America Youth Month committee on Friday was pledged the aid of the industry's newsreels at a luncheon-meeting held at the St. Moritz Hotel here. Charles P. Skouras, committee chairman, was host, and Ted R. Gamble, TOA head, presided.

Support of the newsreels was hailed by John W. Andrews of the Department of Justice, who is administrative vice-chairman of the National Conference for the Prevention and Control of Juvenile Delinquency. He

(*Continued on page* 4)

Hearing To Open on Para. Video Control

WASHINGTON, May 9.—Federal Communications Commission will open hearings here tomorrow to determine the extent of Paramount's control over Allen B. DuMont Laboratories and other subsidiaries, including New England Theatres, United Detroit Theatres, Balaban and Katz, Interstate, and Television Productions, Inc.

At stake are applications of these subsidiaries for new television stations. The FCC will decide whether to reverse an earlier ruling that Paramount controls all of these firms, and that if the new stations are approved, Paramount would have more than the five station top-limit allowed any one corporation.

House Group Probes FCC for 'Leftism'

Washington, May 9.—The House Un-American Activities Committee is investigating the Federal Communications Commission, according to a committee member. Several members of the FCC have been under Congressional criticism for "leftist" leanings, and Representative Hebert has demanded an inquiry to determine whether the commission "is part of a Red network".

Urge Reciprocal Act with 'Teeth'

WASHINGTON, May 9.—Motion Picture Association president Eric Johnston, Eastman Kodak treasurer Marion B. Folsom, and William Benton have joined leaders of other industries in urging Congress toenact a three-year extension of the reciprocal trade agreements Act "without weakening amendments."

They are members of the research and policy committee which over the weekend submitted a brief to the House Ways and Means Committee in favor of the trade agreements.

"Extension of the act," the brief said, "should be followed by a vigorous policy of negotiation to bring about substantial rate reductions in other countries in exchange for further rate reductions here." The CED emphasized that the policy recommended "is in our own national interest."

The House committee is expected to report out a bill this week, probably a one-year extension of the act with limitations on the Administration's power to enter new agreements.

U-I Starts Filming In Italy in the Fall

Three to five American stars, together with producer Robert Buckner, a director and production men from Universal-International's Coast studios, will go to Italy in the fall to film the recently-acquired "Paradise Lost—1948," it is disclosed by William Goetz, U-I production executive, who stated that his visit to England to meet with J. Arthur Rank, announced several weeks ago, now will be extended to include production conferences on Italy.

This augments previously - announced plans of U-I to produce two films in England, utilizing studio facilities of the Rank Organization.

See N.Y. Court Action Before Fall Unlikely

Court's Docket Crowded, So Is Justice Dept.'s

Current congested condition of the New York Federal Court calendar, together with pressure of work upon the Department of Justice Anti-Trust division for the immediate future, make new proceedings in the U. S. vs. Paramount case before next fall extremely unlikely, New York and Washington opinion appears to be agreed.

One Justice Department official said on Friday that even if the Anti-Trust division "did not have its hands full at the moment," it was extremely doubtful whether the New York court would take on proceedings of the size indicated by the Supreme Court opinion at the beginning of summer.

New York attorneys agree for the most part, pointing not only to the crowded Federal Court docket here but also to the fact that a replacement

(*Continued on page* 5)

'Showcase' Houses Seen Decree-Proof

Industry legal minds, still wandering among the paragraphs of the Paramount, Schine and Griffith Supreme Court decisions, are inclined to the belief at this stage that "showcase" houses are pretty safe from any divestiture order which might eventuate as a result of those decisions.

Defendants' big Broadway houses are particularly regarded as being in the clear legally. Showcase houses elsewhere are regarded as being in approximately the same position, their operation being primarily for the pur-

(*Continued on page* 5)

5-Week Trial Seen For 5th-Walnut Suit

Columbia attorney Louis Frohlich, of the New York law firm of Schwartz and Frohlich, foresees a five-week hearing for the Fifth and Walnut anti-trust suit which will go to trial today before Federal Judge Vincent Leibel in U. S. District

(*Continued on page* 5)

Personal Mention

JOSEPH BERNHARD, president of Film Classics, was guest of his associates at luncheon on Friday on the occasion of his 59th birthday; FC's vice-president, BERNARD KRANZE, presided.

•

JOE KAUFMAN, associate producer of Allied Artists' "The Babe Ruth Story," and star WILLIAM BENDIX have arrived here from the Coast.

•

M. L. SIMONS, H. M. RICHEY's assistant at M-G-M, is due back here today from the Southwest. RICHEY is in Chicago.

•

LEON ROTH, United Artists promotion manager, and MRS. ROTH, are parents of a second son, STEVEN JOSEPH, born at Gotham Hospital.

•

CHARLES HANDEL, United Artists photographic editor here, and MRS. HANDEL, are parents of a second son, KENNETH.

•

F. W. ALLPORT, Motion Picture Association of America representative, sailed aboard the *S.S. Queen Mary* on Friday for London.

•

F. J. A. MCCARTHY, Universal-International's Southern and Canadian sales manager, will leave New York today for Indianapolis.

•

EDWARD LACHMAN, president of Allied of New Jersey, is on an extended field trip which will take him to the Coast.

•

DEBORAH KERR is due here on May 21 from Hollywood, en route to England.

•

GORDON HARTING has purchased the Pier Theatre, Pierson, Neb., from Benson and Shipley.

•

F. J. WEATHERLY has purchased the Snyder Theatre, Snyder, Neb., from OMAR BRAZDA.

•

KARL HERZOG, Cinecolor vice-president, flew from New York to Hollywood at the weekend.

•

GEORGE CUKOR, M-G-M director, delayed his scheduled Saturday sailing for England.

•

CARROLL L. PUCIATO and JAMES B. HARRIS, Realart executives, have returned here from Pittsburgh.

•

RUDY BERGER, M-G-M's Southern sales manager, is in Atlanta.

•

ERROL FLYNN is in New York from Hollywood.

•

MESSMORE KENDALL has returned to New York from Palm Beach.

•

IRENE DUNNE is due in New York from Hollywood on Wednesday.

•

GRACIE FIELDS is due here today from Hollywood.

Tradewise . . .

By SHERWIN KANE

INDUSTRY attorneys of long experience believe that the potentialities of the decisions handed down by the Supreme Court last week in the Paramount, Griffith, Schine and William Goldman cases are so many that the industry may be years in adjusting itself to all that eventuates.

Many, including some counsel for theatre owning defendants, are of the opinion that the decisions' effects upon trade practices will be foremost.

The Griffith decision is of particular interest to attorneys because it involved a reversal of the lower court. Griffith had been given what amounted to a clean bill of health by the Oklahoma City Federal court. Not so, defendants in the Paramount and Schine cases. Illegal practices but no national conspiracy was found by the lower court in the Paramount case, and partial divestiture was ordered by the Buffalo Federal court in the Schine case.

But in the Griffith case, the lower court found for the defendant in every major instance. The Supreme Court reversed the Oklahoma City court, said that it had erred, told it why and what it expected it to do on a remand of the case.

Consequently, some attorneys see a more direct and precise example of the will and intent of the Supreme Court in the language to be found in the Crescent opinion than in that of the other opinions because, violations of the Sherman Act already having been found in the other cases, it was assumed the high court felt there was less need of its being as explicit about those as it apparently was in addressing itself to the Oklahoma court.

•

A sample of the language to be found in the Griffith opinion, written by Justice Douglas:

"Appellees (Griffith defendants) were concededly using their circuit buying power to obtain films." (How many in the industry thought that was illegal? And how many besides Griffith does that apply to?)

" . . . Monopoly rights in the form of certain exclusive privileges were bargained for and obtained. These exclusive privileges (run, price, clearance, etc.) being acquired by the use of monopoly power, were unlawfully acquired," Justice Douglas declares. "The appellees, having combined with each other and with the distributors to obtain those monopoly rights, formed a conspiracy in violation of the Sherman Act."

With that language in mind, how would you, if you were a distributor, sell to a circuit, independent or affiliated, in competitive situations in the future?

Justice Douglas also declares in the Griffith decision: "When the buying power of the entire circuit is used to negotiate films for his competitive as well as his closed towns (or read "situations" for "towns") he is using monopoly power to expand his empire. And even if we assume that a specific intent to accomplish that result is absent, he is chargeable in legal contemplation with that purpose. . . . That is the effect whether one exhibitor makes the bargain with the distributor or whether two or more exhibitors lump together their buying power."

That should give pause to buying-booking combines.

•

Attorneys also find considerable interest in the sanction which the Supreme Court bestows by significant and repeated reference, upon the remedies invoked in the Crescent case.

That could be a clue not only to what the high court requires of defendants in the present case, but a preview in miniature of what circuit operation is to become in the near future.

By the way, just how are the Crescent properties making out these days?

•

The general belief in New York trade quarters after several days of digesting the three decisions is that they will call for considerable adjustment—of industry thinking processes as well as methods of doing business. Those who envision a drastic upheaval, a root and branch elimination, or a complete turnover of the industry as constituted after 50 years of evolution, are in a decided minority.

The Supreme Court decisions in the Standard Oil, meat packing, aluminum and numerous other cases certainly broke upon those industries with no less impact than did last week's decisions on this industry.

But look at them today. Seem pretty healthy, don't they?

Newsreel Parade

THE Republican Presidential battle and President Truman's speech on housing are current newsreel highlights. Other items include Princess Juliana inspecting a coal mine, sports, fashions and human interest items. Complete contents follow:

MOVIETONE NEWS, No. 37—Republican battle for Presidential nomination, Ohio primary, Oregon campaign. President Truman's speech about housing and family welfare. Gas explosion demolishes Long Island homes. Tornadoes in West Virginia and Texas. Gen. Wainright honored by Masons. Monkeys clean St. Louis zoo. U. S. prepares for Olympics.

NEWS OF THE DAY, No. 271—President Truman sees peril in housing shortage. Flight over China's highest peaks. Tornado ruins in Texas. Gov. Dewey campaigns. Fashions. Chimps clean zoo.

PARAMOUNT NEWS, No. 74—Republican primary battle. Animal news: world's tiniest dog. Family Life meeting hears President Truman on housing. Uncle Sam's woman divers.

UNIVERSAL NEWSREEL, No. 141 — Navy fleet ready for action. President Truman lauds family life. Princess Juliana inspects Holland coal mine. Tornado levels Texas town. Gas blast wrecks Long Island residence. Helicopter flies inside building. Chimps do spring cleaning.

WARNER PATHE NEWS, No. 76 — Freak disasters across the country. Holland's Princess Juliana visits coal miners. Trouble in Trieste. Korean riots in Japan. Major minds baby by radio. Moonlight fashions. Great Americans: Ralph Waldo Emerson.

Schlaifer Cites Film Ad Responsibilities

Responsibilities of film advertising to the product, to the community and to the democratic way of life in America were explained on Friday by Charles Schlaifer, 20th Century-Fox's head of advertising-publicity and chairman of the Advertising Advisory Council of the Motion Picture Association of America, at the New School for Social Research here.

Schlaifer, who will lecture at the school weekly, outlined for the students the nature of long-range film advertising. Future discussions, he said, will deal with the industry's Advertising Code, trade publication advertising and other subjects.

'I, Jane Doe' Premiere

LOS ANGELES, May 9.—World premiere of Republic's "I, Jane Doe," has been set for Thursday at the two Fanchon and Marco Paramounts, Hollywood and Downtown, in Hollywood and Los Angeles. As a promotional tie-in, Ralph Edwards has been conducting a nationwide search for "Jane Doe" with a board of judges from the Paraplegic Veterans Hospital. Announcement of the winner will be made May 22 on Edwards' "Truth or Consequences" broadcast.

'Silver' To Open May 18

Warner Brothers and Fox Intermountain Theatres have set a 150-theatre world premiere for Warner's "Silver River," in the West. Headquarters of premiere activities will be Denver, where "Silver River" will open on May 18 at the Webber, Denver and Esquire Theatres.

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why important circuits* are playing

Hal Roach's Comedy Hit

"HERE COMES TROUBLE"

starring

William TRACY & Joe SAWYER

in Gay CINECOLOR

For exhibitors in single-picture situations who want all-comedy feature attractions, Hal Roach has packaged . . .

"HERE COMES TROUBLE" (part 1)

and

"WHO KILLED 'DOC' ROBBIN?" (part 2)

in

"LAFF-TIME"

100 minutes of Great Cinecolor Comedy!

1.

It's got the quality to go with any feature attraction — gorgeous Cinecolor and name stars!

2.

It's 50 minutes long. Gives time for an additional show and *additional revenue!*

3.

It's the talk of the town in some *50 Loew** and Warner** *situations* where that extra weekend business is really adding up!

4.

It's got the critics cheering:

"Belly laughs plentiful. No trick overlooked!"
—*N.Y. HERALD-TRIBUNE*

"The audience screaming for more!"
—*FILM DAILY*

"Pure, unadulterated comedy!"
—*BOXOFFICE*

"Riotous . . . the kind any exhibitor will welcome!" —*HOLLYWOOD REPORTER*

You'll have no trouble with this "TROUBLE" from **UA**

New Tactic to Speed Contempt Trials

WASHINGTON, May 9.—Trials of the remaining eight of the 10 Hollywoodites charged with contempt of Congress are expected to go off in rapid-fire order from now on.

With two Federal judges ruling in the Trumbo and Lawson trials that the "Are you or have you ever been a member of the Communist Party?" question is pertinent, and with both turning down all defense motions challenging the jury, asking for a change in venue, and for a continuance until Rep. Thomas can testify, defense attorneys have apparently abandoned delaying tactics and, it appears, will be content to stipulate all of these things in each trial record. This will save time, and at the same time preserve all motions for appeal purposes in each case.

Trial of the third of the 10, Albert Maltz, is slated to begin here tomorrow, and end by mid-week.

Labor Quiz To Hear DeMille Tomorrow

Cecil B. DeMille will arrive in New York today from the Coast and will leave for Washington, where he will testify tomorrow before the House Labor Committee on "the right to work," culmination of his dispute with the American Federation of Radio Artists. He will return to Hollywood on May 15.

TOA Youth Month

(*Continued from page* 1)

termed the assistance of the film industry in the fight on youthful crime as "manna from heaven." Andrews added that "when there is a concrete program such as envisioned by Attorney General Tom Clark and the Department of Justice and a concrete program sponsored by exhibitors all over the nation, we have the difference between a very normal success and a top success."

Among newsreelers present at the luncheon were: Alfred Butterfield, Warner-Pathe; George Doran, Universal; Jack Haney and Arthur De Titta, 20th-Fox Movietone; Walter Bredin, News of the Day; Peter Levathes, 20th-Fox news and shorts sales manager.

Chicago Collects $128,436

CHICAGO, May 9. — The three per cent local admission tax brought in $128,436 to the city treasury in March.

Reviews

"Sword of the Avenger"

(*UPA-Eagle-Lion*)

AS a romantic action drama, "Sword of the Avenger" offers pleasing entertainment, modest in proportion, but filled with a satisfactory amount of suspense and excitement of a standard nature. Filmed in sepia, it recounts the misfortunes that befall a young Filipino who, through the jealousy of a fellow sailor, becomes the victim of an insidious plot. The cast is not a well-known one, but it works competently. Ramon Del Gado is dashing in the lead, in a role which has the story outlines of "The Count of Monte Cristo." Sigrid Gurie, as his sweetheart, is pretty and appealing, even when the script calls upon her to render such masculine chores as leading an uprising of patriots.

The Julius Evans screenplay has the hero escaping prison, where he had been sent to rot, and finally bringing down a sword of vengeance on all who plotted against him. In the course of these developments there ensues a succession of swiftly-paced events. An UPA Films production released through Eagle-Lion and produced and directed by Sidney Salkow.

Running time, 72 minutes. General audience classification. Release date, June 2.

MANDEL HERBSTMAN

"Under California Stars"

(*Republic*)

ROY ROGERS' "Under California Stars" measures up when compared with the average run of horse-operas, but it does not rank with the better Rogers productions in terms of story, direction, acting or photography. The picture is in Trucolor, and there is exhibited from time to time a diffusion of effulgent, unnatural colors that remind one how slickly black-and-white cameras have treated Rogers pictures.

The story strains at the sentimentality inherent in a youngster's adoration of a film cowboy. Core of the plot concerns 10-year-old Michael Chapin's attempt to rescue Rogers' horse, "Trigger," kidnapped by a gang of predatory horse-traders. Rogers plays himself and the action takes place during one of his vacations from the studio. Jane Frazee is decorative in an unchallenging role, Andy Devine supplies some slap-stick, and George H. Lloyd and Wade Crosby lend an appropriate touch of villainy. Rogers is his usual personable self and joins the Sons of the Pioneers in a few tunes. Edward J. White was associate producer, William Whitney directed, and Sloan Nibley and Paul Gangelin wrote the screenplay, from an original by Gangelin.

Running time, 70 minutes. General audience classification. Release date, May 1.

CHARLES L. FRANKE

7 Films Finished, 7 More Started

HOLLYWOOD, May 9.—The production level remains unchanged with the index still standing at 32. Seven new films were started while an equal number were sent to cutting rooms.

Shooting started on "Undercover Man," "Loaded Pistols" and "Gentleman from Nowhere," Columbia; "Sting of the Lash" (Western Adventure Production), Screen Guild; "My Dear Secretary" (Cardinal Pictures), United Artists; "You Gotta Stay Happy" (Rampart), Universal-International, and "June Bride," Warner Brothers.

Shooting finished on "Ladies of the Chorus" and "Black Eagle," Columbia; "The Great Gatsby," Paramount; "Marshal of Amarillo," Republic; "Dead Man's Gold" (Western Adventure Production), Screen Guild; "All's Well That Ends Well" (Bogeaus), United Artists, and "Kiss the Blood Off My Hands," Universal-International.

Garfield Filming Here

Arrival in New York of John Garfield and Abe Polonsky, star and director, respectively, of "Tucker's People," marks the beginning of the new Bob Roberts production for Enterprise Studios. Accompanied by a camera crew from Hollywood, they will immediately start work on shooting New York backgrounds.

Nasser To Make Shorts

HOLLYWOOD, May 9.—James Nasser Productions has extended its activities to the short subject field.

Martin Theatres Sets Four District Posts

ATLANTA, May 9. — District offices will be established in Marietta, Milledgeville and Fitzgerald, Georgia, and in Eufaula, Alabama, by Martin Theatres, under the direction of district managers.

I. T. Taylor has been named district manager of the Fitzgerald office, directing operations of theatres in South Georgia, Florida and Eastern Alabama; Matt Bates, Marietta, will direct theatres in Dalton, Cartersville, Bremen and Etowah, Tennessee, and Piedmont, Alabama. G. N. Goldwire will direct the Eufuala office which covers portions of Alabama and Georgia, and J. N. Morgan, Milledgeville, will direct nine Georgia and Alabama cities.

Kurse, Floersheimer Succeed J. A. Watson

James A. Watson, who since the war has been assistant to Jack Harris in the booking department of Walter Reade Theatres, has resigned to enter the real estate and insurance business.

Walter Reade, Jr. said Watson will be succeeded in the booking department by Joseph Kurse, and Albert Floersheimer, Jr., advertising-publicity head, succeeds Watson as television department head.

'Babe Ruth' Unit Here

William Bendix, star of Del Ruth's "The Babe Ruth Story," current Allied Artists production, and Ross Lederman, director of the second unit, have arrived here from Hollywood to film scenes during the New York-Cleveland series at Yankee Stadium.

Short Subject

"Battle for Greece"

(*March of Time-20th-Fox*)

In familiar March of Time fashion, the subject presents a background study of Greece in the throes of civil war. With the story very much in the nation's newspapers, the subject has an exploitable timeliness for exhibitors.

With the U. S. and Britain backing the Greek government, while Russia is behind insurgent forces, the film factually documents the death struggle. It also contains some exclusive footage, including a visit to a rebel stronghold. Running time, 17 minutes.

Four E-L Meetings

(*Continued from page* 1)

Arthur Rank product, which it will release in the U. S. during 1948-49, advertising-publicity support equal to that which it will give its own Hollywood films, it was disclosed here jointly by Heineman and Youngstein, at the weekend following their return from England.

$250,000 Ad Budget for 'Twist'

Rank's "Oliver Twist," which E-L has slated for August release, will be backed up with promotional effort exceeding that which the company accorded "T-Men," Youngstein said, adding that it will start with an advertising budget of $250,000. Heineman predicted 12,000 bookings for the film in the U. S. and said it has a very good chance of being booked into Radio City Music Hall. It would be the first Eagle-Lion picture to be shown there.

Because Eagle-Lion can now select its Rank films before they reach here, the company has an opportunity to plan their promotion in advance, Youngstein said.

Alternate Releasing Planned

E-L will bring British stars to the U. S. for personal appearances in connection with premieres of Rank films. It will release one Rank film and one Hollywood film a month under its present schedule.

Sam Seidelman, E-L foreign manager, reported that the company now has exchanges in operation in Mexico, Argentina, Chile and Puerto Rico, and will have in operation by July exchanges in Cuba, Panama, Peru and Brazil, as well as sub-distributorships in Colombia, Venezuela and Trinidad. By July, the company's Latin American distribution set-up will have been completed.

Increase Projectors Abroad, Says Report

WASHINGTON, May 9.—The Geneva International Conference on Freedom of Information turned in a record of "constructive achievement" in spreading freedom for all communication media, the U. S. delegation observed in its report to the Secretary of State.

Throughout the report, the delegation indicates that it regards films on par with radio and newspapers, and at one point the delegation stressed the need abroad for more newsprint, radio receivers and film projectors—"the physical facilities of mass communication."

Showcase Houses

(*Continued from page* 1)

pose of giving product a good start. There's nothing illegal about that, the legal minds have about decided, although some admit that on the next reading of the decisions they may change their minds.

Legalites familiar with the industry but not identified with any of the defendants regard Loew's theatres as being the least vulnerable to the implications of the decisions; RKO, next. Origin of those circuits, the intent back of their development and operation, all questions raised by the decisions, appear to be in their favor, as well as their lack of numerical dominance in almost all situations, the legalites say. Both were theatre companies originally.

Paramount and National Theatres are regarded by the same strata of legalites as the most vulnerable in the most situations, and Warner Theatres are rated between the two extremes in the barrister's winter books.

5th-Walnut Suit

(*Continued from page* 1)

Court here. Principal court action today will be the selection of a jury.

Fifth and Walnut Amusements and its owner, Joseph Hoffman, brought the $2,100,000 triple-damage action against eight distributors, charging that the defendants refused to permit plaintiff's National Theatre in Louisville to bid on first-run product. Plaintiff's trial counsel will be Monroe E. Stein. Defendants other than Columbia will be represented by attorneys as follows: Loew's and United Artists, Edward Raftery; 20th-Fox, Paramount and RKO, John Caskey; Republic, Myer Lavinstein; Warners, Abraham Friedman of Philadelphia.

Permits Inspection

(*Continued from page* 1)

Starr, Rhinebeck, N. Y.; Lyceum, Red Hook; Pine Plains, Pine Plains; Millerton, Millerton, and the Stuart at Lakeville, Conn.

The court also directed that its order was without prejudice to the renewal of the distributors' applications at a later date for inspection of any other records which they might require.

In addition, the court granted Loew's and RKO motions to vacate certain interrogatories which had been served upon them by the defendants, relating to the date of execution and present location of each license agreement for a percentage rental and the information upon which the plaintiffs based their percentage allegations.

See N. Y. Court

(*Continued from page* 1)

on the three-judge court will have to be made for the late Judge John Bright, who died recently. The new jurist, it was pointed out, would be unfamiliar with the case and probably would wish to have considerable time to acquaint himself with its fundamentals before presiding at a hearing.

The New York Federal Court ordinarily reconvenes early in October, following its summer recess. The hearings might get under way that month or the following. If the hearings were not lengthy, there would be some possibility of a decree being handed down by the court toward the end of the year or early in 1949. If such a decree were to be appealed to the Supreme Court, final disposition of the case could not be expected before 1950, most attorneys believe.

Master May Be Named

Observers feel that there is some possibility, in the event the hearings on divestiture promise to be detailed and extended, of a special master being appointed by the court to take testimony on that phase of the case. That, obviously, would extend the time schedule considerably, not only because of the indicated length of such hearings but also because the special master would have to prepare his report following conclusion of the hearings, and the District Court would have to study the master's report and reach its own conclusions before entering a decree.

The time-table depends in large part, attorneys say, on whether or not the Government finds it necessary to enter new evidence or simply relies upon the record, in large part, to obtain the kind of decree it seeks.

Also in the background and affecting the time-table are a number of presently unknown factors involving possible changes in the Justice Department Anti-Trust division. John Sonnett, head of the division, is known to be planning to leave the Department, and Robert L. Wright, in charge of the Paramount case for the Department, is reported to be considering a change. Either development could delay further action in the case while successors were being brought up to date on the case.

National Elections 'An Unknown'

Still another presently unknown factor having a bearing on the case is the likelihood of a Republican victory at the polls next November. A change of Administration would bring in a new Attorney General whose anti-trust policies might differ from those of the present Administration, observers point out. There could even be a change in the complexion of the Supreme Court, either in attitude or membership, within the next two years, in the opinion of those interested in exploring even the remote possibilities having a bearing on the ultimate outcome.

Color Tricks at SMPE

SANTA MONICA, Cal., May 9.—Phenomena of color, including a demonstration of red, green or yellow objects all presenting an identical hue when viewed in sodium light, will be explained in one of the sessions of the 63rd convention of the Society of Motion Picture Engineers here May 17-21, at the Ambassador Hotel, by Dr. Isay Balinkin, University of Cincinnati research scientist.

SCTOA Meet on Decision

LOS ANGELES, May 9.—Members of the Southern California Theatre Owners Association will meet here on May 24 to hear an analysis by Paul Williams, SCTOA general counsel, of last Monday's Supreme Court decision in the industry anti-trust case.

'Flood of Suits'

(*Continued from page* 1)

is not inviting exhibitors to launch damage suits. But, he admitted, "quite a few Allied members" who had been holding off such suits would probably start them soon.

(Another Washington lawyer tells of a client who some months ago contemplated a damage suit against the majors but dropped the idea. "He called me Tuesday morning, first thing," the lawyer said, "and we're going ahead now.")

Myers declared that both the Jackson Park and Goldman cases "go far beyond anything the District Court in the Paramount case dreamed of. They don't even permit a parent company to play its own films first in its own theatres."

Myers left Washington over the weekend for Des Moines, where he will attend the convention of Allied Theatre Owners of Iowa and Nebraska. From there he will go to Kansas City for the meeting of the Kansas-Missouri Allied unit, and then to Denver for the Allied board meeting. He will be gone about two weeks.

Kenosha House Sold

KENOSHA, Wis., May 9. — Main-street Theatre here has been sold by Nick Michaels of Chicago and Peter Pares of Ypsilanti, Mich., to Louis Bass of Milwaukee for $120,000. The new operators will be Standard Theatre Corp., Milwaukee.

'Haughty Managers' A Post-War Casualty

Columbus, O., May 9.—Disappearance of the "haughty chin-stuck-out manager" and the "growling sourdough theatre doorman" are indications of a return to pre-war courtesy and service, reports Ed Jacobs, former theatre editor of the *Cleveland News*. Writing in the letters-to-the-editor column of the *Columbus Citizen*, Jacobs said: "Anything that was alive and human had a good chance for these jobs during the war. It's different now and the exits are being pointed out to those students of insults."

Omaha Sales Changes

OMAHA, May 9.—Film-row changes here include the following:

Howard Clark, Film Classics office manager, to RKO Radio as office manager, succeeding Norman Neilsen who who becomes a salesman; N. N. Galbreath, from RKO salesman to salesman at Universal-International; Ann Davidson, new inspectoress at U-I; Irma DeLand replacing Mary Olson as booker at RKO.

Footnote for Historians

WASHINGTON, May 9.—A *Hartford Courant* editorial entitled "Hollywood Fable," broadly satirizing recent Hollywood weddings and press coverage of the weddings, has been inserted in the *Congressional Record* by Rep. Miller of Connecticut. Miller said he inserted the editorial so that "future historians will have it available."

*Something new has been added to motion pictures by Enterprise and UA

Now completing its 1st half year at the Mayfair, New York!

FACTS about

Gentleman's Agreement

The Longest-Run Record in 20th Century-Fox Long-Run History!

6 months at the Apollo, Chicago!

20th's all-time champion hold-over attraction!

Move-overs! Repeat First-runs! From Coast-to-Coast!

Setting new 20th marks for subsequent runs!

Matching its big-town figures in every smaller situation!

The most honored picture in screen history!

Winner of 53 awards!

Winner of 3 Academy Awards including "Best Picture"!

Darryl F. Zanuck presents

GREGORY PECK · DOROTHY McGUIRE · JOHN GARFIELD

in Laura Z. Hobson's

Gentleman's Agreement

with

Celeste Holm • Anne Revere • June Havoc • Albert Dekker
Jane Wyatt • Dean Stockwell • Sam Jaffe

Produced by DARRYL F. ZANUCK
Screen Play by MOSS HART
Directed by ELIA KAZAN

20th CENTURY-FOX

FIRST IN FILM NEWS

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MPAA Enters Commodities Market Pact

Seeks Remittances Via World Commerce Corp.

In its efforts to free frozen U. S. film earnings in Europe, the Motion Picture Association of America is participating in a plan for developing new world markets for standard exports and possible new products of countries that ordinarily would be unable to release American film earnings to any appreciable degree until after the European Recovery Program has put those countries on a sound economic footing.

Reportedly conceived by Gerald M. Mayer, managing director of the MPAA international division, the plan has been adopted by the World Commerce Corp., international trading organization with offices in prin-

(*Continued on page 6*)

DeMille to Testify Today at Hearing

WASHINGTON, May 10.—Cecil B. DeMille, who will testify before the House Labor Committee tomorrow on labor's "right to work," arrived here today by plane from Los Angeles. DeMille said he planned no other appearances here and would return to the Coast as soon as his testimony is completed in order to continue work on "Samson and Delilah," his next for Paramount.

DeMille will tell the committee that

(*Continued on page 6*)

MPAA's McCarthy To Aid on Accord

John G. McCarthy, associate manager of the international division of the Motion Picture Association of America, has been assigned by Eric Johnston, MPAA president, to collaborate with Fayette W. Allport, chief of the London office, on details of execution of the Anglo-American film *ad valorem* agreement in London. McCarthy will sail for England on the *S. S. Queen Elizabeth* on Friday. Allport sailed for England last Saturday.

$13,000,000 For AA's 13

HOLLYWOOD, May 10.—Declaring that "the best way to meet a depression is with expansion," Steve Broidy, president of Allied Artists, today said the company will make 13 films at an aggregate cost of $13,000,000 in the next 12 months.

"Instead of talking about the depressed condition of the film industry and doing nothing about it, we are increasing our production," he said.

June 1 Deadline on Tax Bill: Martin

WASHINGTON, May 10.—The House will not try to pass a tax revision bill this session unless the House Ways and Means Committee has it ready by June 1, Speaker Martin said today after a meeting of the Republican "steering" committee.

The Ways and Means group has

(*Continued on page 6*)

Mild Returns On Broadway

Only two first-runs here, Radio City Music Hall and the Capitol, are enjoying sizeable grosses this week, agreeable weather notwithstanding. At the other situations business ranges from pretty good to poor.

On the basis of $79,000 grossed Thursday through Sunday, the Music Hall is due for a rousing $121,000 for the third week of "State of the Union," together with a Russell Markert show on stage. Second week of "Homecoming," plus Xavier Cugat's band on stage at the Capitol looks like a solid $118,000.

Among newcomers, "The Brothers" at the Sutton made the strongest debut, with a pleasing $10,500 for a first week. First week of "The Woman in White," along with Bea Wain and Andre Baruch on stage at the Strand is expected to result in an unimpressive $55,000. At the Gotham, first week of "Whispering City" looks like

(*Continued on page 5*)

Meet Here Thursday On Will Rogers Fund

Directors of the Will Rogers Memorial Fund and a group of industry leaders will be the guests of G. S. Eyssell, president of Radio City Music Hall, at a luncheon-meeting here on Thursday at which plans for financing the industry's Lake Saranac hospital will be discussed.

Among those invited are: Walter Vincent, Harold Rodner, Edmund C. Grainger, Dan Michalove, J. Henry Walters, Will H. Hays and Herman Levine, all officers of the Fund, and Barney Balaban, Leonard Goldenson, Lewen Pizor, Leslie E. Thompson, RKO Theatres; Morton G. Thalhimer, Richmond; W. Stewart McDonald, Leopold Friedman, John J. O'Connor and Abe Montague.

$10 Million for DuMont Stock SoughtbyPara.

Definitely in Market to Sell, Raibourn Tells FCC

WASHINGTON, May 10.—Paramount definitely wants to sell its holdings in Allen B. Dumont Laboratories, Paramount television head Paul Raibourn told a Federal Communications Commission examiner today.

Raibourn said Paramount wants about $10,000,000 for its holdings, which he listed as 43,000 shares of Class A common (a small percentage of the total), and the entire issue, or 560,000 shares, of Class B common.

The FCC is attempting to determine the extent to which Paramount controls DuMont so that it can rule on applications of other Paramount

(*Continued on page 6*)

Reds Lead Rumpus Here vs. 'Curtain'

The Roxy Theatre here expects to operate normally during the run of "The Iron Curtain," despite the fact that Communists have threatened to picket the house. With mass picketing set for tonight when the film will be previewed at 10:30, Charles Schlaifer, 20th Century-Fox director

(*Continued on page 6*)

Percentage Suits Filed in Detroit

Detroit, May 10.—Universal, Paramount and Loew's filed percentage actions today in Federal Court here against Jeff Williams, C. A. Ruedisueli and Kenneth D. Newton, partners operating the East Detroit Theatre in East Detroit, and the Roseville in Roseville.

Complaints were signed by Rockwell T. Gust of Butzel, Eaman, Long, Gust and Kennedy of Detroit, attorneys for each plaintiff. Sargoy and Stein, New York, are of counsel.

17% Increase in Titles Registered with MPAA

WASHINGTON, May 10.—There were 3,489 motion picture titles registered with the Motion Picture Association of America's title registration bureau during 1947, a 17 per cent increase over the 2,978 registered in 1946, according to a report submitted to MPAA president Eric Johnston today.

The report, made by bureau manager Margaret Ann Young, said that the 3,489 registered titles were out of 4,133 submitted. Thirty-two titles were rejected on grounds of "moral unsuitability." 207 were returned because of their identity with prior registration, and 405 were approved for non-member companies.

Miss Young reported that only two appeals had been made to Johnston from bureau decisions. In both cases, the bureau's action was upheld.

Of 413 protests filed during the year because of differences of opinion between companies regarding priority, "harmful" similarity and similar disputes, only seven finally required arbitration. The remaining controversies were settled by inter-company negotiation.

Twenty-six additional non-member

(*Continued on page 6*)

Fifth - Walnut Trial Jurors Selected

Trial attorneys yesterday began to present opening statements before Federal Judge Vincent L. Leibel and a jury of five women and seven men as the Fifth and Walnut anti-trust suit progressed in its first day in U. S. District Court here. Fifth and Walnut Amusements and its owner, Joseph Hoffman, brought the $2,100,000 triple-damage action against eight distributors, charging that the defendants refused to permit plaintiff's National Theatre in Louisville to bid on first-run product.

Iowa-Neb. AITO Opens 2-Day Meet

DES MOINES, May 10.—Discussion of the recent Supreme Court decision in the industry anti-trust suit, led by Allied States Association general counsel and chairman Abram F. Myers and chairman of the Allied "Caravan" Sidney Samuelson, were a feature today at the opening session of the two-day convention of Allied Independent Theatre Owners of Iowa and Nebraska. The meeting is being held at the Hotel Fort Des Moines, with Harold Field of Minneapolis, president of the Pioneer Circuit, presiding.

Myron Blank, Tri-States Theatres Corp. vice-president, spoke on the competition of 16mm. films. Pointing out that there are now 80,000 such machines in the country as compared with 16,000 to 18,000 theatres, Blank called for control of the distribution of 16mm. films by limiting them to such uses as education and hospitals.

In a review of the drive-in situation, Field said he does not believe these theatres offer any real competition to the already established houses, while Blank called attention to the "terrific traffic hazard" created by drive-ins and predicted that an attempt will be made to pass legislation this coming session to meet the traffic problem. Maris Frye, general manager of the Tri-States and Central States Theatre Corp. confection department, also spoke.

A banquet will be held tomorrow evening with Leo Wolcott, chairman of the Iowa-Nebraska board, acting as toastmaster, and Gov. Robert D. Blue as one of the featured speakers.

ITOA Pledges Aid To Youth Drive

New York Independent Theatre Owners Association, yesterday pledged support to the "Youth Month" activity which is being mapped by Charles Skouras, Theatre Owners of America national chairman for "Youth Month."

"Activities of this sort, which are designed to place the theatre business in its proper relationship to worthy public projects deserve the support of every theatreman, regardless of his association or affiliation," ITOA president Harry Brandt said in a message to Skouras.

Delayed Maltz Trial Now Set for Today

WASHINGTON, May 10.—Trial of screen writer Albert Maltz on charges of contempt of Congress, originally scheduled for today, was postponed until tomorrow to give Government and defense attorneys additional time to agree on certain facts to be stipulated into the trial record.

Sam Graham Due Here

LONDON, May 10.—Sam Graham, one of Britain's leading independent exhibitors and an influential factor in Cinematograph Exhibitors Association, is en route to New York from here on the *Queen Elizabeth*. Mrs. Graham accompanies him.

Personal Mention

ERIC JOHNSTON, MPAA president, has flown to San Francisco from Washington to take his ill mother from there to Portland. He is due back at his headquarters at the end of this week or early next week.

•

WALTER MURPHY, manager of the M. and P. Capitol Theatre, New London, Conn., has been named city chairman for the United Nations drive for children.

•

NAT WOLF, Warner Ohio theatre zone manager, and HARRY GREENBERG are co-chairmen of the Cleveland film division of the Jewish Welfare Drive.

•

BERNARD J. GATES, Monogram International's Latin America supervisor, left New York yesterday for a three-month tour of his territory.

•

STEVE FITZGIBBON and MICKEY ANDELMAN of Devonshire Films, Boston, left there yesterday for a sales trip through the South and Midwest.

•

LEO KOLB, manager of the executive board of IATSE Local No. 160 for 25 years, has been presented with a gold life membership card.

•

H. M. RICHEY, M-G-M exhibitor relations head, who arrived in Des Moines yesterday, will be in Kansas City tomorrow and Thursday.

•

NORTON V. RITCHEY, president of Monogram International, has returned to London from Paris and will leave for New York shortly.

•

"LUCKIE" STEIN of Stein and Floyd Theatres in Florida and Georgia, has returned to Jacksonville from Miami.

•

ROBERT RUSSELL, city manager for Shea Theatres in Ashtabula, O., is observing his 25th year with the company.

•

WILLIAM E. OSBORNE, Monogram International's Far Eastern representative, is vacationing in Memphis.

•

LEONARD GOLDMAN of Century Theatres here and PHYLLIS STEPNER were married Sunday.

•

S. HICKMAN, Toddy Pictures, Atlanta, has returned to that city from a Miami vacation.

•

ROBERT TAPLINGER, Enterprise vice-president, has flown back to the Coast from New York.

•

SAM KATZ, M-G-M production executive, will leave the Coast on Saturday for Chicago.

•

JOHN JENKINS, head of Astor Pictures, Dallas, is visiting in Atlanta.

BEN KALMENSON, Warner distribution chief, will leave New York today on a tour of the company's branches.

•

WILLIAM WYLER, Paramount producer-director, has been given the French Legion of Honor for "distinguished service in behalf of France and other nations fighting for freedom."

•

HOWARD BROOKINGS, president of the Iowa-Nebraska Independent Theatre Owners, will seek a seat in the Iowa House to represent Pottawattomie County.

•

HARRY F. SHAW, Loew's Poli New England Theatres division manager, and MRS. SHAW, will return to New Haven on May 15 from a South American cruise.

•

WILLIAM H. MURPHY, JR. is now acting manager of Southeastern Theatre Equipment's Jacksonville branch, WALTER E. WOODWARD having resigned.

•

CLARE J. APPEL, Eastern division manager of Canadian Odeon Theatres, Toronto, has returned there from a circuit inspection tour in Ontario.

•

HARRY HENDERSON has resigned as manager of the Lorain-Fulton Theatre in Cleveland after 20 years and is succeeded by CHARLES RICE, his assistant.

•

B. G. KRANZE, Film Classics general sales manager, is due in Chicago today from New York. He will be in Detroit over the weekend.

•

HUNT STROMBERG and MRS. STROMBERG are in New York from Hollywood.

•

STUART DUNLAP, M-G-M manager in Argentina, is vacationing in Hollywood.

•

JOHN FLAHERTY is the new assistant manager at the Olympia Theatre, Lynn, Mass.

•

JULES WEILL, president of Masterpiece Productions here, is in Atlanta on circuit deals.

•

FORTUNE GALLO, impresario, is en route to the Coast from here by way of Transcontinental.

•

L. V. SEICHSNAYDRE, Republic manager in New Orleans, has returned there from Nashville.

•

SPENCER TRACY is due in New York on May 21 en route to London.

•

ELIAS FOX has joined Eagle-Lion's press book department here.

General Now Odeon

OTTAWA, May 10.—General Theatre Corp. has changed its name to Odeon Theatres (Canada).

Akron on Daylight Time

AKRON, May 10.—Voters here favor daylight saving time and the time change is now in effect.

Hughes - Odlum Deal Reaches Final Stage

HOLLYWOOD, May 10.—Reportedly winding up final details of the transaction whereby Howard Hughes would acquire control of RKO Radio through the purchase of Floyd Odlum's stock in the company, the principals in the deal were still holding a session at the RKO studio tonight.

It is understood that Hughes' offer became effective at the close of the New York stock market today. According to one report from the conference room, the deal will be dated tomorrow, with official confirmation delayed until midnight, Pacific Coast Time, as a legal formality.

Vera Gordon, 61

HOLLYWOOD, May 10.—Funeral services will be held here tomorrow in Hollywood Cemetery Chapel for Vera Gordon, 61, star of stage and screen, who died on Saturday. She was best known for her lead part in "Humoresque," silent film. Surviving are the widower, a daughter, Nadje, and a son, William, who is an executive of Universal-International.

H. T. Long, 54

TORONTO, May 10.—H. T. Long, 54, veteran film executive, died at his residence here following a heart attack. He had been identified with various film companies for 27 years until his retirement last year because of ill health.

Rites for Mrs. Morgan

BEVERLY HILLS, Calif., May 10.—Funeral services were held here today for Mrs. Ralph Morgan, 63, wife of the actor. Interment will be in Brooklyn, N. Y.

Mrs. Agnes Hickey

DETROIT, May 10.—Funeral services for Mrs. Agnes Hickey, 87, mother of RKO Radio field man Robert Hickey, will be held here Wednesday.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer TRACY Katharine HEPBURN Van JOHNSON
Angela LANSBURY Adolphe MENJOU Lewis STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
PARAMOUNT TIMES SQUARE
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS.
EXTRA! ELLA FITZGERALD
MIDNIGHT FEATURE NIGHTLY

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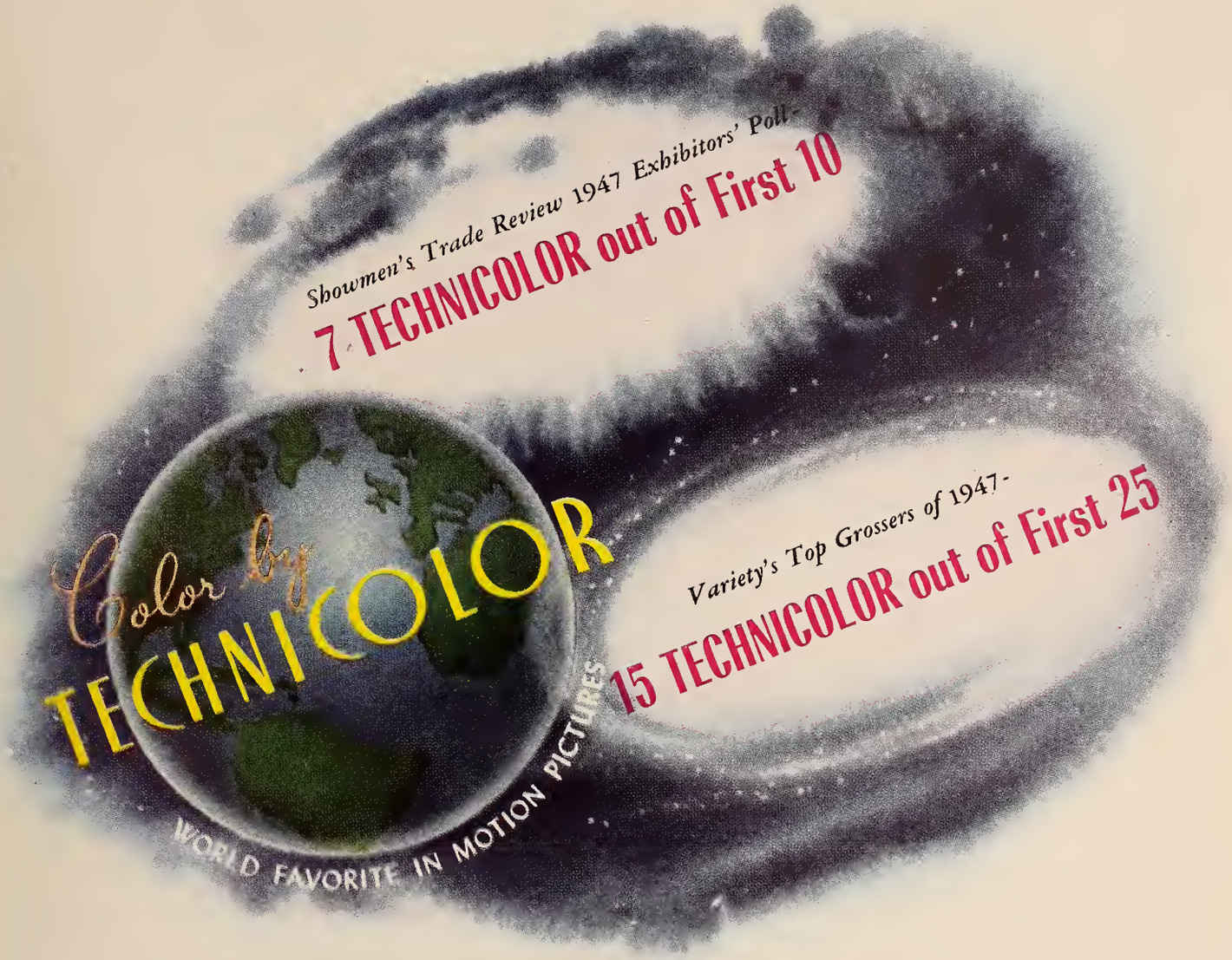

Technicolor
Motion Picture Corporation

Herbert T. Kalmus, President and General Manager

"...an imperative must..."

JESSE L. LASKY reviewing in ***THE SCIENTIFIC MONTHLY***

MAGIC SHADOWS

The Story of the Origin of Motion Pictures

By MARTIN QUIGLEY, JR.

Adventurous exploration of forgotten yesterdays—191 pages, 28 illustrations. Bound in cloth. A Georgetown University Press book.

Mr. Lasky's review, appearing in THE SCIENTIFIC MONTHLY for May follows:

READING this book must be a revelation and a humbling for anyone even remotely connected with motion pictures or, for that matter, for anyone who ever sees a motion picture. For nowhere through this fascinating adventure and success story are any of the familiar names connected with the art or industry, whichever you chose to call it. There is no Gable nor Peck nor Garbo nor Chaplin nor Mayer nor Selznick here. Indeed, with the exception of Edison, there isn't a single name that the layman has heard or that has ever been in lights or drawn a salary or made a gossip column. Yet Kircher and Plateau and Von Uchatius and the Langenheims are actually the gods of the machine who made these other people possible.

And Quigley has made them, in many instances, far more exciting than the shadow children who came after them and owe them their birth. He has traced the invention of motion pictures as far back as man has thought, even to the sun itself, and followed it forward in time through the perils and disappointments, the heartbreaks and elations, the mishaps and the lucky breaks, to the final consummation.

Nowhere does the interest slacken; one reads on and on, fascinated by the steps that seem so natural now, but were so uncertain then, steps that led to the perfection of an art and a machine that we all take perhaps too much for granted.

An immense amount of research must have gone into the book's creation; one has a sense of complete documentation. One also has a feeling of eminent fairness. The reader is sure that Mr. Quigley has carefully weighed every smallest claim of the least contributor to inclusion for credit toward the forward movement of the machine. And one knows that each piece of the jigsaw is in its proper place at last and the puzzle is completed, the picture whole.

This should in no sense be considered a source book or a technical one to be put aside to dip into for leisurely reading. It is an imperative must, not only to the student or the technician but to all readers of adventure stories—adventure into the courage of the human heart and the profundity of the human mind.

JESSE L. LASKY

RKO Studios
Hollywood, California

Gentlemen:

Send.....copy(ies) of Magic Shadows at $3.50 per copy postage paid.

☐ Check enclosed. ☐ Send bill.

Name .....

Address .....

QUIGLEY BOOKSHOP - 1270 SIXTH AVENUE - NEW YORK CITY (20)

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

BALTIMORE

New films are getting average business or slightly better, and holdovers are somewhat off. Estimated receipts for the week ending May 13:

ARE YOU WITH IT? (U-I)—KEITH'S (2,406) (25c-37c-44c-54c, and 56c weekends) 3 days of 2nd week. Gross: $3,500.
ARGENTINE NIGHTS (Equity U-I reissue)—VALENCIA (1,466) (29c-37c-45c-54c, and 56c weekends). Gross: $5,000. (Average: $5,000)
FORT APACHE (RKO Radio)—TOWN (1,450) (29c-37c-56c). Gross: $12,500. (Average: $10,500)
LADY FROM SHANGHAI (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c) 2nd week, with a stage show. Gross: $19,500. (Average: $17,000)
SCUDDA HOO! SCUDDA HAY! (20th-Fox) — NEW (1,800) (29c-40c-50c-56c). Gross: $12,000. (Average: $11,750)
PANHANDLE (Allied)—MAYFAIR (1,000) (21c-29c-54c) 2nd week. Gross: $4,500. (Average: $5,000)
STATE OF THE UNION (M-G-M)—CENTURY (3,000) (29c-37c-45c-54c, and 56c weekends) 2nd week. Gross: $15,000. (Average: $14,500)
TORMENT (Oxford)—LITTLE (328) (29c-37c-56c) 2nd week. Gross: $2,750. (Average: $3,000)
WOMAN IN WHITE (WB)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $14,500. (Average: $14,500)

CINCINNATI

Horace Heidt and his orchestra on the RKO Albee stage, plus "Lost Honeymoon" on the screen, is giving that house the best gross in many months. Estimated receipts for the week ending May 11:

BLACK BART (U-I) — KEITH'S (1,500) (50c-55c-60c-65c-75c). Gross: $9,500. (Average: $7,500)
BUCK PRIVATES (U-I) — RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) Dualed with **SOUTH OF TAHITI (U-I)**. Gross: $4,500. (Average: $5,000)
DUEL IN THE SUN (SRO) — RKO GRAND (1,500) (50c-55c-60c-70c-75c). Gross: $12,000. (Average: $8,000)
LOST HONEYMOON (E-L) — RKO ALBEE (3,300) (55c-95c) On stage: Horace Heidt and his orchestra. Gross: $38,000. (Average: $30,000)
MIRACLE OF THE BELLS (RKO Radio)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $13,000. (Average: $15,000)
STATE OF THE UNION (M-G-M)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 2nd week. Gross: $11,000. (Average: $10,000)
SITTING PRETTY (20th-Fox) — RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 3 days, 6th downtown week, and **TARZAN AND THE MERMAIDS (RKO Radio)** 5 days, 2nd week, on a moveover from the Grand. Combined gross: $5,000. (Average, 7 days: $5,000)

NATURALLY
you're going to play
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

TORONTO

The baseball season had its big opening, but there was some compensation for Toronto theatres in a return of cool weather with some rain to keep box-offices on a steady pace. Estimated receipts for the week ending May 13:

THE ADVENTURES OF ROBIN HOOD (WB)—BILTMORE (938) (15c-30c-36c-55c) 6 days. Gross: $6,000. (Average: $6,000)
THE BIG CLOCK (Para.)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days. Gross: $17,900. (Average: $14,900)
CASBAH (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $12,100. (Average: $11,600)
DUEL IN THE SUN (Selznick)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days. Gross: $16,700. (Average: $14,200)
HOLIDAY CAMP (U-I)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $6,800. (Average: $6,500)
HOLIDAY CAMP (U-I) — FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days. Gross: $6,300. (Average: $5,500)
IF YOU KNEW SUSIE (RKO Radio)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days. Gross: $8,400. (Average: $7,400)
IF YOU KNEW SUSIE (RKO Radio)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days. Gross: $10,700. (Average: $9,200)
SAIGON (Para.)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $15,600. (Average: $14,600)
SITTING PRETTY (20th-Fox) — NORTOWN (950) (20c-36c-42c-60c) 6 days, 8th week. Gross: $3,800. (Average: $6,500)
SITTING PRETTY (20th-Fox) — VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 8th week. Gross: $3,800. (Average: $6,300)

ATLANTA

Business here is above average. Estimated receipts for the week ending May 11:

THE BIG CLOCK (Para.)—ROXY (2,446) (12c-50c) 2nd week on a moveover from the Fox. Gross: $5,900. (Average: $5,800)
SMART WOMAN (Allied Artists)—PARAMOUNT (2,446) (12c-50c). Gross: $6,700. (Average: $5,900)
STATE OF THE UNION (M-G-M)—LOEW'S GRAND (2,446) (12c-50c) 2nd week, on a holdover. Gross: $14,000. (Average: $14,000)
UNCONQUERED (Para.)—FOX (4,446) (12c-50c). Gross: $15,000. (Average: $14,000)

Reviews

"Who Killed Doc Robin?"

(*Hal Roach-United Artists*)

HARUM-SCARUM HOKUM designed decidedly to quench the appetites of those rabid followers, both young and old, of that American institution of serio-comic cartoon strips, in all of their fantastic shenanigans.

Hardly intended to be taken seriously, the screenplay by Maurice Geraghty and Dorothy Reid, gives ample opportunity to the same crew of youngsters who appeared in Hal Roach's "Curley," to enliven the proceedings, and this they do feverishly, aided and abetted principally by George Zucco, Virginia Grey, Don Castle, Whitford Kane, Claire Dubrey and Don Dubrey. Larry Olsen, as little "Curley," tough-guy, is very good.

The plot concerns a mystery killing and a wild chase through an old house with the usual patterned antics of creaking doors, moving walls, dark corners and the eerieness of a scary gorilla, closet skeleton and such trimmings. While chiefly juvenile entertainment, some of the hair-raising episodes might be a bit too stiff for the very young. Done in Cinecolor, Bernard Carr directed, Robert F. McGowan produced and Hal Roach, Jr., was executive producer, all contributing to speedy action.

Running time, 55 minutes. General audience classification. Release date, April 9. JAMES CUNNINGHAM

"Stage Struck"

(*Monogram*)

CLEARLY intended for theatres located in areas where flash fronts and provocative billing bid for drop-in patronage, this melodrama sets forth in elementary manner to point out that dangers ranging up to death by murder lurk in the big city for small town girls who leave home without notice in a vain pursuit of footlight careers. The players who principally enact the stencilled roles are Kane Richmond, Audrey Long, Conrad Nagel, Ralph Byrd and some others, but the script is so full of planted texts, and the direction is so handicapped by dialogue, that the picture never rises above the level of an illustrated lecture on an antique theme. The attraction has its uses for houses specializing in transient trade and quick turnover.

The scene is New York, the picture opening on the murder by a nightclub operator of a stage struck small-town girl he first enrolled in his fake theatrical school and employed thereafter as hostess. Richmond plays his employee, who observes the murder, gets rid of the body for him, and then takes charge of the business. Nagel plays a plodding detective assigned to the case, and Miss Long is seen as the murdered girl's sister, who comes to the city and follows in her sister's footsteps in the hope of finding out who did the killing. If there is a sparkle of novelty in the proceedings, it is the use of a tape recorder in pinning the crime on the killer, but not much is made of it. Jeffrey Bernerd produced and William Nigh, directed from a script by George Wallace Sayre and Agnes Christine Johnston, based on a story by the former.

Running time, 71 minutes. General audience classification. Release date, June 13.

"Not Guilty" ("Non Coupable")

(*Andre Lelarge—In French, with English subtitles*)

A VERY fine production of an absorbing and most unusual mystery, produced and directed in France by Henri Decoin.

The tale concerns a doctor who is responsible for the death of four persons. The first is an accident, the others are cunningly contrived murders which baffle the shrewdest of the French police. Michel Simon, as the doctor who commits the perfect crimes, then unsuccessfully tries to confess, gives an outstanding performance, while Jany Holt, as his deceitful mistress, Jean Debucourt, the police inspector, and Jean Wall, a doctor and one of the victims, lend excellent support.

Running time, 94 minutes. Adult audience classification. Current release.

B'way Grosses

(*Continued from page 1*)

a so-so $7,500. A weak $15,000 is seen for the first stanza of "Dear Murderer" at the Winter Garden.

Also weak is "Letter from an Unknown Woman" at the Rivoli where the second week is heading for only $20,000; "Another Part of the Forest" will open there on May 18. Second and final week for "Anna Karenina," plus a stage bill headed by Larry Adler, is poor at the Roxy, with only $55,000 in view on the basis of $45,000 grossed in five days; "The Iron Curtain" will move in there tomorrow.

$70,000 for 'Big Clock'

"Casbah" is due for a pretty good $19,000 in its second week at the Criterion. Also pretty good is the $70,000 expected for the third week of "The Big Clock," plus Duke Ellington's band on stage at the Paramount; they will hold for a fourth week, to be followed by "The Sainted Sisters" and a new stage show.

"Arch of Triumph" appears to be doing all right at the Globe where $35,000 is in store for a third week. At the Victoria, "The Search" is firm with about $12,000 expected for a seventh week. Fifth week business is very mild at the Warner for "Winter Meeting," with $8,000 expected. Also mild in its seventh week at the Astor is "Mr. Blandings Builds His Dream House," with $24,000 expected.

$12,000 for 'Agreement'

Twenty-sixth week of "Gentleman's Agreement" is due for about $12,500 at the Mayfair. At the Park Avenue "The Mikado" is on the way to a satisfactory $5,000 for a fourth week. "Unconquered" paired with "Who Killed Doc Robin" at regular prices at Loew's State will run for nine days, with a fair $27,000 foreseen; "The Fuller Brush Man" will take over on May 19.

Dezel Buys Franchise

Acquisition of the franchise for Astor Pictures in the Cincinnati territory has been announced here by Albert Dezel, president of Albert Dezel Productions. Release will be by Screen Guild Productions of Cincinnati, Dezel said. Ed Salzberg signed for Screen Guild and Fred Bellin represented Astor.

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One airline, TWA, takes you to principal U. S. cities or to Ireland, Paris, Egypt and other key points in Europe, Africa and Asia. When you go, fly by dependable TWA Skyliner with crews seasoned by millions of trans-world miles.
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Col. 'Carmen' Campaign

Richard Condon, publicist; the S. C. Swanson Co. and Bradshaw Crandall, illustrator, have been engaged by Columbia for an advance campaign for "The Loves of Carmen," Technicolor film. Condon will do special publicity assignments, Swanson will develop a nationwide promotion and Crandall will do key illustrations.

Honor Moore at Dinner

PITTSBURGH, May 10.—Scores of business associates and friends turned out for the testimonial dinner given to F. D. (Dinty) Moore in the William Penn Hotel here, tonight to honor his promotion from Warner branch manager in this territory, to Eastern district manager in Boston.

Reds Lead

(*Continued from page* 1)

of advertising-publicity, said that the theatre will see to it that its normal rules and regulations are obeyed. Pointing out he couldn't anticipate what demonstrations would take place, he asserted that city and police regulations would take care of any disorderliness.

The demonstration tonight, it has been reported, would start a series of demonstrations throughout the country, where more than 400 theatres have booked the film beginning tomorrow. Many of the theatres have received postcard threats of boycott for a year if they show the picture.

Chief promoter of the boycott is said to be the National Council of American-Soviet Friendship, which has written exhibitors protesting the film. In answer to vague reports that exhibitors of the film would be liable for possible libel damages, Schlaifer asserted that 20th-Fox would protect them "against legal liability."

DeMille to Testify

(*Continued from page* 1)

the right to work is as vital as the right to strike and that both must be protected by law. He will cite the U. S. Supreme Court's refusal to review his case against the American Federation of Radio Artists as showing the need for legislation to protect the right to work, and will also cite other instances in the Hollywood labor picture as well as examples and court decisions from other industries.

The committee is scheduled to show newsreels of strike violence right after his testimony. The House Labor Committee may vote out a bill as a result of these hearings, but no legislation is likely to pass Congress during this session on the subject.

Charges 'Featherbedding'

HARTFORD, May 10.—The National Labor Relations Board has reinstated charges against Local No. 400, American Federation of Musicians, that it has caused the hiring of eight members by the State Theatre, Hartford, since October, whose services were not desired.

June 1 Deadline

(*Continued from page* 1)

been working on a bill for several months now, and chairman Knutson has previously said he would have a bill ready early in June. Whether he can push the bill along faster due to the House leadership deadline now remains to be seen.

Mexican Producers Eye Wider U.S. Mart

MEXICO CITY, May 10.— Mexican producers are turning to United States market with the hope that wider distribution of their films north of the Rio Grande will pull the Mexican industry out of its depression. Spearheaded by Salvador Elizondo, managing director of Clasa Films Mundiales, a movement is beginning here for the dubbing of Mexican product in English in order to widen the audience for Mexican films in the U. S. beyond the Mexican and Spanish-speaking sectors there.

MPAA Enters

(*Continued from page* 1)

cipal cities of the world. WCC is endeavoring to put it into operation in Italy first, it was said.

WCC, backed by banking institutions of international prestige and by other large organizations of worldwide stature, is reported to be representative of film interests to a degree. Some members of its board of directors, it is understood, are prominently identified with the American industry.

The arrangement said to have been set up by Mayer and WCC executive vice-president John A. R. Pepper calls for WCC to convince European manufacturers, growers, and commodity producers in general that new world markets can be found for their products. Once the manufacturers are persuaded, WCC, which functions more or less like a brokerage organization, will approach the government of the country wherein the manufacturer operates to establish an agreement whereby frozen American film earnings equal to the manufacturer's earnings in the new market will be turned over to the manufacturer while the new market earnings will go to the U. S. film companies.

The plan was reported to have been agreed upon early this year. Thus far, spokesmen acknowledged, it has produced no tangible results in terms of remittances from Italy, but it is explained that the developing of foreign markets is not accomplished overnight. Meanwhile, however, MPAA has succeeded in getting some remittances out of Italy through other channels.

Pathe Opening Delayed

The manager of the Paris Theatre, now being constructed for Pathe Cinema, here, due to open this month, has postponed its opening because of construction delays. The premiere, now set for September, will feature "Symphonie Pastoral," starring Michele Morgan and Pierre Blanchar. The Paris will be one of Pathe's international circuit.

Increase in Titles

(*Continued from page* 1)

companies used the bureau last year, the report declared, bringing the total of these companies to 59. Total member and non-member participants now stands at 80. Participating companies notified the bureau of 772 releases during 1947, including features and short subjects.

Of the 3,489 titles registered in 1947, 926 were subsequently withdrawn, either voluntarily or because of conflict with prior registrations.

Miss Young's report pointed out that the Production Code was tightened during 1947 to restrict or ban the use of certain titles.

Para.-DuMont

(*Continued from page* 1)

subsidiaries for television stations. An FCC ruling forbids any one firm from controlling more than five stations. If Paramount does control DuMont, its controlled firms already have the five-station limit, and the new applications must be denied.

Raibourn repeatedly told the examiner that Paramount never exercised control over DuMont and did not have common interest with the laboratories. While television broadcasting meets the needs of DuMont, he said, perhaps it does not meet the needs of Paramount. "Paramount is not altogether certain;" he continued, "that broadcasting of television is the most advantageous use of it," implying that the picture company preferred to go ahead with its theatre television experimenting.

The Paramount official, who was on the stand all day and may return to it when hearings resume tomorrow, said that Paramount had no plans for a television network, "although there may have been some speculation to this effect."

$164,000 for DuMont Shares

Raibourn told the examiner that Paramount's holdings in DuMont originally cost about $164,000. He listed present book value at $3 to $4, said the market value was slightly higher, and "it might be selling for $20 to $30 if Paramount hadn't been in the picture at all."

Paramount has made several efforts to dispose of its DuMont holdings, Raibourn said, and has discussed it with a great many individuals, but nothing has yet been followed through. In answer to questioning, he said Paramount had not discussed the sale with DuMont, though one DuMont official asked the right to bid for the stock if it were sold on the open market.

Other Paramount Holdings

Paramount was listed as owning 99 per cent of Balaban and Katz stock, 100 per cent of Television Productions, 100 per cent of New England Theatres, 100 per cent of Interstate Circuit Class B common, and no Interstate Class A common.

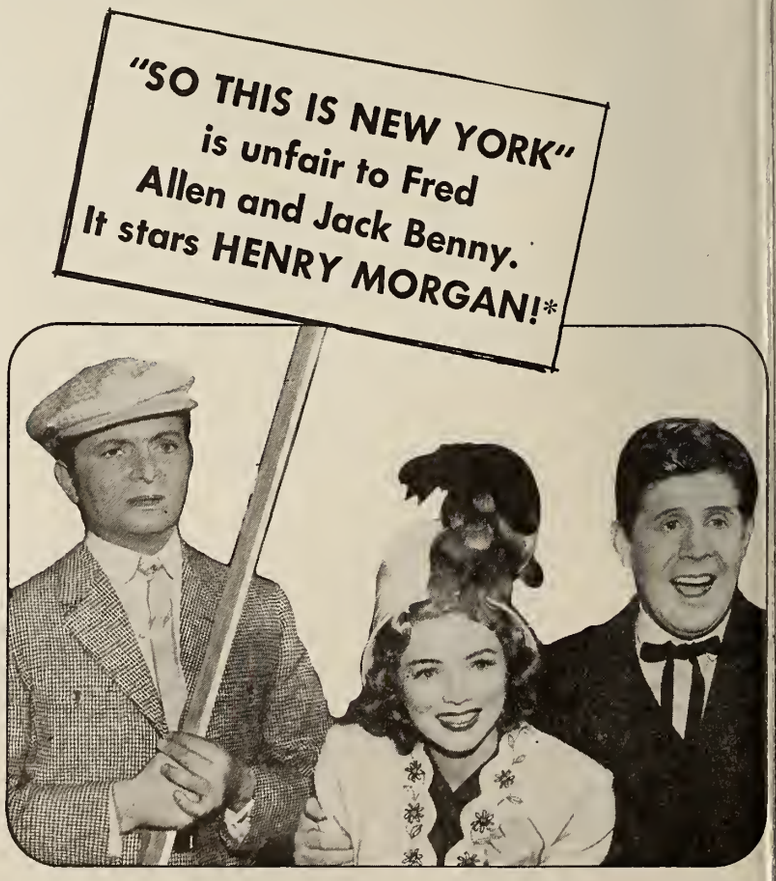
Ten largest holders of Paramount stock were given as follows: Merrill, Lynch, Pierce, Fenner and Beane, 179,187; Lehman Brothers, 130,174; Cudd and Co., 76,154; Bache and Co., 65,551; Lake and Co., 65,412; E. F. Hutton and Co., 65,030; Labb and Co., Boston, 61,000; Paine, Webber, Judson and Curtis, 57,244; N. V. A., Amsterdam, 55,064; and Olen and Co., Chicago, 52,464. Paramount said it had 6,950,000 sahres outstanding, which were held by 40,000 firms and individuals.

Schanberger Testimonial

BALTIMORE, May 10.—The Variety Club, Tent No. 19, will give a testimonial dinner on May 21 to ex-chief barker Frederick C. Schanberger, an executive with Keith's Theatre here. Co-chairmen in charge of arrangement are Al Vogelstein, William Myers and Sam Tabor.

Two New Ansco Plants

Ansco has completed new laboratories in Toronto and Paris, for processing of prints in the new Ansco Color.



*Something new has been added to motion pictures by Enterprise and UA

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

V 63. NO. 92 NEW YORK, U.S.A., WEDNESDAY, MAY 12, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

DeMille Urges Right-to-Work LawEnactment

House Labor Group Told Issue Is 'Fundamental'

WASHINGTON, May 11.—Cecil B. DeMille today asked Congress to draft a Constitutional amendment guaranteeing the right of every man to "work when he pleases, where he pleases, for himself or for whoever wants to hire him."

Cecil B. DeMille

The noted motion picture producer, who gave up a $120,000 a year radio job rather than pay a $1 political assessment to the American Federation of Radio Artists, told the House Labor committee that the right to work is "one of the most fundamental rights, and that it should be given the full protection of the Government." He

(*Continued on page 3*)

U-I Tightens 16mm. Servicing Control

Universal-International has tightened its supervision of 16mm. films distributed by its subsidiary, United World Films, by reinstating former rules to have branch managers approve 16mm. accounts, William Scully, U-I general sales manager, discloses in a letter to Myron N. Blank, chairman of the Theatre Owners of America's 16mm. committee.

RKO Radio and 20th Century-Fox,

(*Continued on page 3*)

Field Promotions Made by Paramount

Several promotions of branch managers, booking managers and salesmen have been announced by Charles M. Reagan, Paramount vice-president in charge of distribution, as follows:

Harry Hamburg, branch manager at Des Moines, has been named manager at Kansas City, succeeding Ralph

(*Continued on page 6*)

Home Office Workers Seek 12½% Increase

With 10 IATSE film company "white collar" labor contracts due to expire on May 31 and June 30, including Universal, Warners, United World, Pathe Laboratories, Universal Newsreel and Castle Films. "IA" Motion Picture Home Office Employes Local No. H-63 is setting in motion negotiations for pay increases of 12½ per cent "across the board," plus a 35-hour week and increased vacations. Over 1,000 employes are involved in the Universal and Warner home offices alone.

Russell Moss, business agent of H-63, who is in command of the local's campaign for added contract benefits and who yesterday announced the planned opening of negotiations, dis-

(*Continued on page 3*)

Contempt Trials Off Pending 2 Appeals

WASHINGTON, May 11.—Verdicts on the remaining eight Hollywood writers, producers and directors charged with contempt of Congress have been postponed while defense attorneys appeal to the Circuit Court and Supreme Court the convictions of writers John Howard Lawson and Dalton Trumbo.

Defense attorneys Robert Kenny, Martin Pepper and Ben Margolis announced today that an agreement to this effect had been reached with the U. S. District Attorney's office and

(*Continued on page 3*)

Kansas-Missouri Allied Meets Today

KANSAS CITY, May 11.—Film prices, policy and problems of the day appear in a wide variety on the agenda of the two-day convention of Allied of Kansas-Missouri, which will open here tomorrow at the Muehlbach Hotel.

Film buying, Allied's Caravan, admission taxes, film delivery, local checkers, Ascap, advanced admission pictures, the Government trust suit, drive-ins, buying and booking, 16mm. and school competition are among the subjects scheduled for discussion at an open forum tomorrow afternoon. All independents have been invited.

The sessions will open with an ad-

(*Continued on page 3*)

CONTROL OF RKO PASSES TO HUGHES

Early Decree Seen In Scophony Suit

Washington, May 11.—Justice Department and industry officials today predicted an early consent decree in the Government's anti-trust suit against Scophony and other television defendants.

Paramount vice-president Paul Raibourn said he thought that his company and General Precision Equipment Corp. would soon agree to "pull out" of Scophony with an understanding that their $140,000 investment come out of future royalties, if any.

$6,000,000 Offer To Para. by DuMont

WASHINGTON, May 11.—Allen B. DuMont declared here today that his firm had offered Paramount $6,000,000 for the latter's DuMont stock holdings, but had been turned down.

DuMont indicated he thought Paramount's desire to get $10,000,000 was not too far out of line, disclosing that during the last four weeks alone the company had made a profit of $200,000.

The television pioneer's testimony wound up hearings before a Federal Communications Commission exam-

(*Continued on page 6*)

To Mark Smith's First Anniversary

Division sales managers Herman Wobber, Western; Harry Ballance, Southern; Jack Lorentz, Central; Raymond E. Moon, Eastern, and Arthur Silverstone, Canadian, of 20th Century-Fox, will honor general sales manager Andy W. Smith, Jr., at a testimonial dinner on May 28 at the Waldorf-Astoria Hotel, New York.

The dinner will mark the date, one year ago, when Smith was appointed head of the company's domestic distribution department, and will launch the "Andy Smith Anniversary Month" sales drive which will run from May 30 to June 26.

With Spyros P. Skouras, president, as toastmaster, company officials, department heads, the home office sales staff, will also attend the dinner.

Formal Closing of Deal With Atlas Corp. for $9 Millions Completed

Howard Hughes' acquisition of the 929,020 shares of RKO common stock held by the Atlas Corp. became official yesterday, placing the producer in effective control of the company.

Howard Hughes

Finalization of the sale was announced in a formal statement issued by Floyd B. Odlum, president of Atlas. While the purchase price of the Atlas stock was not revealed in the announcement, it is reliably reported that Hughes paid $9.77 per share, or just over $9,000,000 for the entire block.

Odlum disclosed that the tentative contract with Hughes announced last

(*Continued on page 6*)

Ask Dropping of Tax-FreeDivestiture

WASHINGTON, May 11.—Theatre-owning distributors have asked the House Ways and Means Committee to drop any further consideration of a tax change, which they had requested, until the New York District Court hands down a new divestiture decree in the Paramount trust case.

The change, which has been pushed especially by Paramount, would have

(*Continued on page 3*)

National Screen to Hold Two Meetings

National Screen Service executives Herman Robbins, George Dembow and Bill Brenner will preside at two company sales meetings, to be held May 18-22 at the Ritz Carlton Hotel in Atlantic City and June 25-30 at the Ambassador Hotel, Los Angeles.

Personal Mention

TED R. GAMBLE, Theatre Owners of America president, will leave this evening for Portland, Ore.

•

BARBARA ANNE AARON, daughter of M-G-M assistant sales manager EDWIN W. AARON, will be married on June 20 in Riverdale, to HERBERT S. NUSBAUM, formerly with M-G-M's home office legal department and now a Hollywood attorney. The bride is a member of Eagle-Lion's home office publicity department.

•

FRANK H. RICKETSON, Fox Intermountain president, Denver; ELMER C. RHODEN, Fox Midwest president, Kansas City, and HAROLD J. FITZGERALD, Fox Wisconsin president, Milwaukee, are in New York.

•

ARTHUR I. WEINBERG, son of Columbia circuit sales executive LOU WEINBERG and a graduate of Harvard Law School, has passed the New York State Bar examination.

•

MME. RAYMONDE AUDIBERT, director of Pathe Journal, a subsidiary of Pathe Cinema, is due here today from Paris on the *SS Queen Elizabeth*.

•

ELSIE KAUFMAN of the Columbia advertising-publicity department here for the past 20 years has resigned, effective Friday.

•

PAUL BRODER, Realart president, is in New York from Detroit for a few days.

Riot Marks Opening Here of 'Curtain'

A heavy detail of police, including mounted police, and 1,000 war veterans came to grips last night with pickets who were protesting the showing of 20th Century-Fox's "The Iron Curtain" at a sneak preview at the Roxy Theatre here. The ensuing riot, worse than anticipated by some observers, caused police to keep crowds away from the theatre when the picketing, sponsored by the National Council of American-Soviet Friendship, started at 11 P.M. Members of the Veterans of Foreign Wars joined the police in battling the pickets.

B. Turnbull, 58, Head Of Rockefeller Center

Barton P. Turnbull, 58, president of Rockefeller Center, Inc., since 1945 and a former president and director of Radio City Music Hall Corp. and the Center Theatre Corp., died yesterday at his home in Summit, N. J. A close associate of John D. Rockefeller, Jr., in recent years, Turnbull entered the Center organization as treasurer and director in 1934.

Survivors include the widow, Mrs. Dorothy M. G. Turnbull; three daughters, a brother and five grandchildren. Private services will be held tomorrow.

Three Arbitration Awards Are Made

Industry arbitration awards have been handed down by arbitrators in cases in New York, New Orleans and New Haven, the American Arbitration Association reported here yesterday.

Deriving from a complaint instituted by Norman Bialek and Martin Fessler, operating the Astor Theatre, North Bergen, N. J., the New York arbitrator's award stipulates that no clearance shall be granted in licenses hereafter entered into by distributors to the Alvin Theatre, Guttenberg, N. J., over the Astor, and dismisses complaints against intervenors, Bergenline Amusement, Goldenlane Theatre Corp., and Mayfair Entertainments, which were represented by New York attorney Irving Cohen. Award also denies complainants' request that pictures distributed by defendant distributors should be available to the Astor not later than 24 days after their run at Loew's Embassy, North Bergen, and RKO's Capitol, Union City.

Ruling clearance to be unreasonable, the New Orleans arbitrator upheld complainant Broadmoor Theatre, Inc., by fixing maximum clearance of 30 days between the complainant's theatres and those of five distributor defendants. Additionally, the arbitrator held that there was not sufficient evidence to show that there is a national release date for the Shreveport area and therefore denied the relief sought by Broadmoor, which was 20 days after national release date.

New Haven arbitrator dismissed the complaint brought by West Side Amusement, operator of the Barnum Theatre, Bridgeport, against Paramount, RKO Radio and Warners, with the Strand Amusement as intervenor, and ordered retention of the clearance *status quo*.

Cagney Productions To Make 2 This Year

Two pictures will constitute this year's program of William Cagney Productions, he disclosed here yesterday, adding they probably will be "Lion in the Streets," budgeted up to $2,500,000, and "Only the Valiant," to cost about $1,600,000.

Cagney said that following the current "The Time of Your Life," in which United Artists has $250,000 invested, his organization is committed to deliver one more to UA within two years. Should the company renew with UA, it "probably" would be "on a non-exclusive basis."

R.O.Schoham Named MGM Belgium Head

Morton A. Spring, vice-president of Loew's International, has appointed Robert O. Schoham temporary manager in Belgium, replacing Selim Habib, who has resigned because of ill health.

Schoham was until recently special home office representative in Scandinavia, with headquarters in Sweden. Previously he had been manager in Cuba and in Finland.

Kalmine To Preside At Circuit Meeting

Harry M. Kalmine, president of Warner Theatres, will preside at a zone managers' meeting today at the home office.

Zone managers attending will be: James Coston, Nat Wolf, I. J. Hoffman, Frank Damis, C. J. Latta, Ted Schlanger, M. A. Silver, John J. Payette, Ben Wallerstein.

Film buyers attending will be: Alex Halperin, Ted Minsky, Bert Jacocks, Max Hoffman, Sam Blaskey, Max Friedman. John Turner, Harry Feinstein, George Crouch, Leo Miller.

Home office executives attending will be: M. Alben, Clayton Bond, Frank Cahill, H. Copelan, Z. Epstin, N. Fellman, Harry Goldberg, L. J. Kaufman, Herman Maier, F. Marshall, W. S. McDonald, Frank Phelps, Harold Rodner, Harry Rosenquest, D. Triester, R. Weiss and B. Wirth.

2 Baltimore Theatre Firms Out of Suit

WASHINGTON, May 11.—District Court Judge Bolitha Laws today heard argument on whether a treble-damage anti-trust suit against two Baltimore theatre firms and major distributors should be dismissed as far as the theatre firms are concerned on the ground they do not do business in the District of Columbia.

With the consent of the defense attorney, and Robert Shilz, who represents the plaintiff, Windsor Theatre, the charges were dismissed with respect to Thomas Goldberg, president of the two Baltimore theatre firms.

Joseph Baer, general manager of the Walbrook and Hilton Theatres in Baltimore, testified that they made all their contracts in Baltimore and therefore had to be sued there or not at all. Argument will continue tomorrow.

Mistrial in Fifth And Walnut Action

Vance Schwartz, one of the owners of the Fifth and Walnut Amusement Co., yesterday allegedly exchanged "a few pleasantries" during luncheon with two of the jurors on the trial of that company's $2,100,000 action against eight distributors in U. S. District Court here, and Federal Judge Vincent L. Leibel declared a mistrial.

A new trial will begin on Monday with selection of a new jury panel.

OF COURSE
your audience will love...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Newsreel Parade

THE U. S. seizure of the railroads and the nomination of Socialist Norman Thomas for president are among newsreel highlights of current releases. Sports, fashions and human interest stories round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 38—Railroads seized by U. S. as strike threats. Norman Thomas nominated by Socialist Party for president. Annapolis Middies prepare for summer cruise. "China doll" comes to life. Mexican sweepstakes. Sports: Golf, boxing, wrestling.

NEWS OF THE DAY, No. 272 — U. S. takes over railroads. Chinatown holds baby show. U. S.-Canada hail goodwill. Golf classic won by Barron. Lamb derby. Wrestling.

PARAMOUNT NEWS, No. 75—Canada-U. S. hail new highway. Fresh air sculpture. Paris fair. British industry fair. Railroad strike.

UNIVERSAL NEWS, No. 142—U. S. seizes railroads to halt strike. Atom-age mechanical hand demonstrated. Aviation dunking drill at Annapolis. Mexico film studio destroyed by fire. Italian bridge collapses and kills 22. Jap police arrest "quack" physician. Barron wins golf tournament.

WARNER PATHE NEWS, No. 77—Defense in central Greece. Some 500,000 refugees aided in Delhi. U. S. seizes railroads. Socialists name Norman Thomas for president. Chinatown baby show. Check-up checks a chiseler. Belgium displays old lace. Boxing championship.

New Loop Moveover For First-Run Films

CHICAGO, May 11.—The Rialto Theatre, independent Loop house, will begin a new policy tomorrow of playing moveover product from first-run houses. First picture will be "Naked City," which closed today after a two-week run at the RKO Palace. The film is set for an indefinite run.

FIVE-STAR
DC-6
FLAGSHIPS
LOS ANGELES
11 hours, 10 minutes
•
CHICAGO
3¼ hours
Phone HAvemeyer 6-5000
or your travel agent
Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George
AMERICAN AIRLINES

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Decision Discussed At Iowa-Neb. AITO

DES MOINES, May 11.—The Supreme Court decision in the U. S. anti-trust suit figured today at the second business session of the Allied Independent Theatre Owners of Iowa and Nebraska here with queries about the opportunity of exhibitors to select pictures and the matter of clearances predominating. Abram Myers, Allied States Association general counsel, directed the question period.

Sidney Samuelson, chairman of Allied Caravan; H. M. Richey, M-G-M exhibitor relations director; David Palfreyman of the Motion Picture Association of America, Washington, and Charles Niles of the Iowa-Nebraska AITO also addressed today's meeting.

Illinois, Miss. Groups To Discuss Decision

The U. S. Supreme Court decision in the industry anti-trust suit will be the principal subject of discussion at meetings of the United Theatre Owners of Illinois on June 3-4 and the MPTO of Mississippi on June 21-22. Both organizations are Theatre Owners of America affiliates.

Herman Levy, TOA general counsel, will address the UTOI meeting at the Kaskaskia Hotel, La Salle, Ill. Speaker at the Mississippi meeting, scheduled for the Buena Vista Hotel, Biloxi, will be TOA executive director Robert W. Coyne. Other subjects on the agendas are admission taxes, trade practices and 16mm. competition.

Tax-Free Divestiture

(*Continued from page* 1)

allowed them to treat as tax-free any gain made selling one theatre property under the decree, providing the proceeds were reinvested in other court-approved theatre holdings.

Paramount attorney Leslie Rapp has wired Rep. Gearhart, it was learned here today, declaring that the Supreme Court's action in sending the Paramount case back to the lower courts removed the immediate pressure and that the companies were content to let the matter rest until the lower court held further proceedings and handed down a new decree.

Kans.-Mo. Allied

(*Continued from page* 1)

dress of welcome by O. F. Sullivan, executive secretary of the organization, followed by William Ainsworth, president of national Allied, who will discuss "Allied's Future"; Sidney Samuelson, general manager of Eastern Pennsylvania Allied, on the subject "Allied's Buying and Booking"; Ed Lachman, New Jersey Allied president, on "Highlights of New Jersey's Activities on Taxes"; Trueman Rembusch, Indiana Allied president, on "The Exhibitor's Future As It Relates to Television," and H. M. Richey of M-G-M.

U-I Tightens

(*Continued from page* 1)

who are also large distributors of 16mm. films, have already announced policies designed to keep unfair 16mm. competition at a minimum, Blank said in declaring that the TOA is pleased with the cooperation being given by distributors in its attempt to limit such competition.

DeMille Urges

(*Continued from page* 1)

was among the first to testify at the committee's hearings on proposals to amend the labor laws.

Although he recommended an amendment to the Constitution as preferable to the extension of Federal control over labor, DeMille advocated the enactment of a Federal right-to-work law as an alternative solution.

He pointed out that the right to strike is protected by law, but that "nowhere in Federal statute law is the unqualified right to work stated in positive terms."

Asks Criminal Penalties

Urging the committee to remedy this deficiency, DeMille said: "A Federal right-to-work law—backed up, if need be, by provision for stiff criminal penalties and substantial civil damages—would go far to clarify the just limits of the right to strike and to discourage the use of goon tactics on American citizens who want to exercise their right to work.

"Nowhere in the Federal statutes is the right to work even asserted much less emphasized or explicitly defended," DeMille declared. Individual freedom, he asserted, should be the "touchstone" applied by Congress to all labor legislation.

"It is well established," DeMille stated, "that the right to work is a constitutionally secured individual right—a part of the personal liberty protected by the Fifth and Fourteenth Amendments. Yet in practice, as this committee knows, the right to work has been violated in a multitude of instances, of which my own case—denial of the right to work because I refused to pay a political assessment to a union—is only one."

Would Protect 'Less Fortunate'

DeMille was barred from membership in the American Federation of Radio Artists for refusal to pay a $1 assessment in connection with the 1944 political campaign. His weekly radio theatre program was kept off the air thereafter. DeMille fought the case unsuccessfully through the U. S. Supreme Court. While he told the committee that his own loss of the right to work was not fatal to him, he pointed out that his experience shows that less fortunate individuals require the protection of law.

Citing the Hollywood studio jurisdictional disputes as an example of the abuse of the right to strike by means of violence, rather than by peaceful picketing, DeMille said that right "has been stretched to mean not only the right of workers to quit in concert, but to prevent their fellow-workers, who want to work, from going to their jobs, by assault, threats, intimidation and abuse—a violent method called peaceful picketing."

He said that this deplorable situation is not surprising because "Federal statutes put more emphasis on the right to strike than they do on the right to work."

"To pretend that it is Constitutional to deprive some people of the right to work because others have the right to strike is a travesty."

Cites Federal Statute as Precedent

DeMille suggested to the committee that an adequate precedent now exists for the enactment of a law making interference with the right to work a criminal offense.

He said that there is a Federal statute providing for a $5,000 fine and a 10-year prison term for any group of persons who "conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States."

Criminal penalties alone are not sufficient, however, DeMille declared. He recommended additional laws giving the individual the right to sue for being prevented from working.

"Let the law pin down responsibility where it belongs—on the executive officers and strategy committees of striking groups," he said. "Let the penalties and damages be heavy enough. Let there be a few convictions and a few judgments awarded, and you will see men and women, who want to work, going to their work without fear."

DeMille emphasized, however, that he was in no way advocating the revival of professional strike-breakers by employers. "Employers' thugs are as bad as union thugs," he said.

He pointed out to the committee that he is both an employer and a union officer, and therefore well acquainted with both sides of the picture.

"I am speaking for the man or woman who has a job and is satisfied with it and wants to keep it," he said.

He concluded his statement with a warning that fomenting of continued labor strife could—and would—be utilized by unfriendly foreign powers to cripple our production of defense materials.

Labor Power 'in Hands of 12'

In response to questioning, DeMille asserted that labor's power is concentrated in the hands of 12 union leaders. This power should be kept in check by law, he said. "I have no fear of the country in the hands of the people or the working man, but I do fear for the country in the hands of 12 men."

He pointed out that laws have been enacted to control management, and therefore laws should be passed to supplement the Taft-Hartley Act and thereby prevent the abuse of the tremendous power held by such a few individuals.

Committee chairman Fred A. Hartley, Jr., brought up the question of the studio jurisdictional strikes and asked DeMille about the annual wage rates of studio carpenters, painters and stagehands. The producer said that he did not know the exact figures, but added that these studio employes are "the highest paid group of labor in America."

Newsreel of Coast Studio Strife

Following DeMille's testimony, the committee watched an hour-long display of newsreels of mass picketing and strike violence, including many scenes of the Hollywood studio labor strife. The great interest in DeMille's appearance was attested to by the fact that almost 20 committee members were on hand, and in addition, one Senator, "Pappy" Lee O'Daniel, showed up as an observer.

O'Daniel explained that he came because "I admire Mr. DeMille and appreciate his courage to fight for what he thinks is right even at a great financial sacrifice."

DeMille was warmly praised by committee members for his statement. Only note of criticism came from New York's Arthur Klein (D.), over the producer's feud with AFRA. Klein said he wanted the record to show that DeMille thinks he is right and the courts wrong.

Seek 12½% Increase

(*Continued from page* 1)

closed simultaneously that the local has signed a new contract with News of the Day providing for $5 to $10 weekly increases for front-office and shipping room employes, plus three-week vacations for workers with 10 years service, or longer.

Moss reported additionally that representatives of the local and Warners will meet here tomorrow before National Labor Relations Board officer Arthur Younger to settle a pre-contract dispute and to determine a date for the holding of a Warner home office employes' election in accordance with provisions of the Taft-Hartley law. That law requires an employes' election to be held prior to negotiations on a new contract to determine whether workers desire a union shop. The 60 day notice to which employers are entitled when an election is planned has been given to both Warners and Universal, Moss said, adding that a Universal shop election will be held within the next two weeks. Universal Newsreel, United World and Castle also will have elections in that period, he said.

Moss said that contracts expiring on May 31 are with Warners, Ace Laboratories, Warner music companies and the Robbins music group. Contracts expiring June 30 are with Universal, Universal Newsreel, United World and Castle. The local has been negotiating for a new contract with Paramount News since Jan. 31, and Moss said "substantial raises have been agreed upon," but signing has been delayed because an agreement has yet to be reached regarding the local's demand for three weeks' vacation for 10-year workers.

Contempt Trials

(*Continued from page* 1)

approved by Judge David A. Pine after consulting with fellow Judges Keech and Curran.

Defense attorneys have waived jury trials in the remaining eight cases to get this agreement. Here is the way it will work: Sometime between now and June 1—probably next week—defense and Government lawyers will go before district judges here and stipulate certain facts on each case into the record. These facts will be taken from the earlier trials and from the committee's minutes. The judges will then take the cases under advisement. Later, after the higher courts rule, they will hand down decisions in each of the eight cases based on the stipulated record, plus the law interpretations of the higher courts in the Trumbo and Lawson cases. Each one of these decisions can, of course, then be appealed.

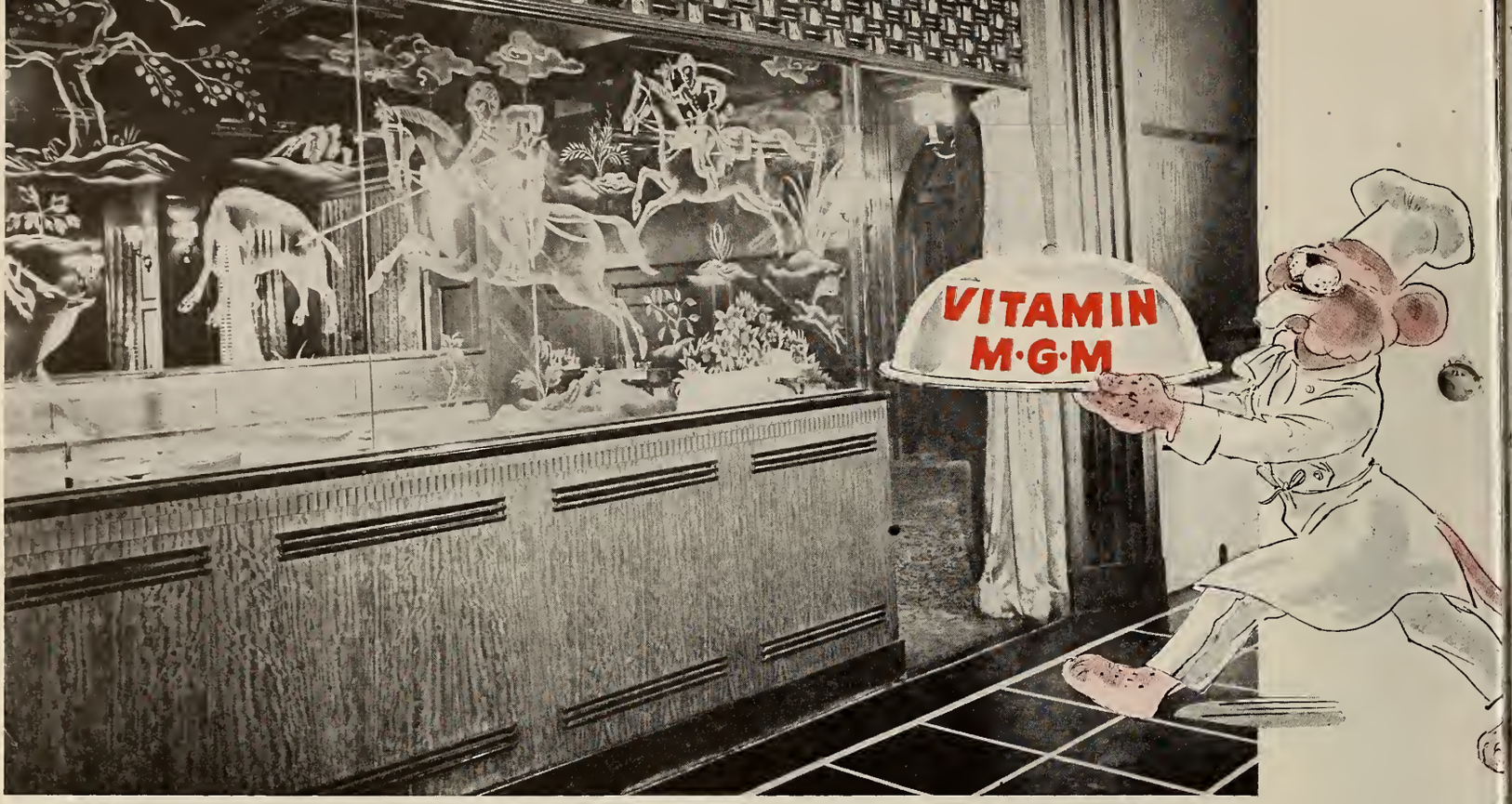
A motion for new trial for Trumbo will be filed "within a day or two," defense attorneys said. Argument on a similar motion for Lawson is still set for May 21.

'Bway' Opening June 9

In further tribute to "Andy Smith Anniversary Month," 20th Century-Fox has set the world premiere of "Give My Regards to Broadway" in Boston on June 9, with 200 key city day-and-dates following immediately after the opening.

Marx Film at the Gotham

The Marx Brothers' "A Night at the Opera," M-G-M release of 1935, will open at the New York Gotham Theatre tomorrow.

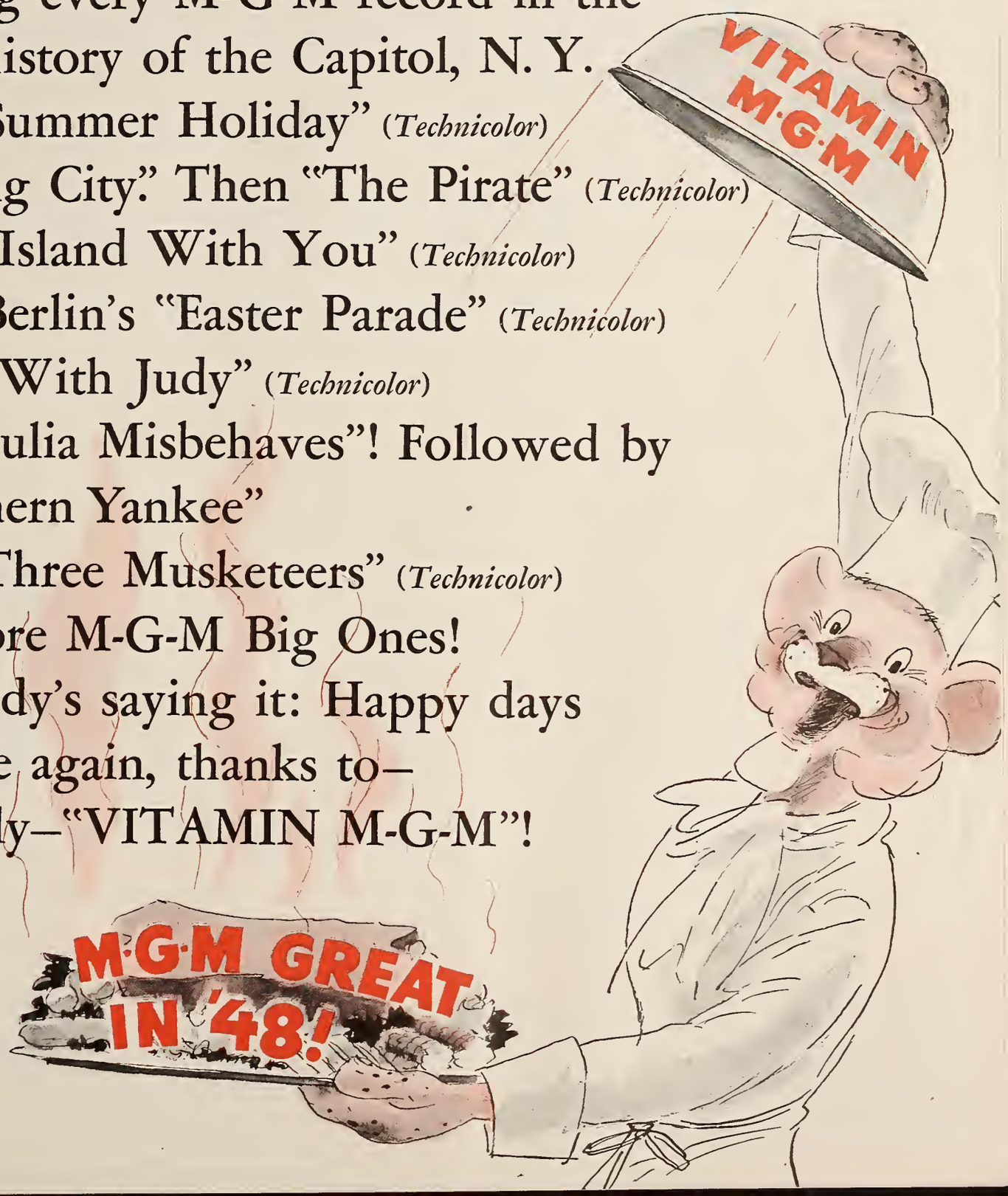


At the Hunting Room of the Hotel Astor, N. Y.
and wherever film men meet, they're saying:

M·G·M HAS THE PICTURES!

What a banquet! Read the Menu on next page!

Week after week
All Spring and Summer long!
One tasty dish after another!
Frank Capra's "State of the Union"...
A feast from coast-to-coast!
"Homecoming"...Wow!
Breaking every M-G-M record in the
Entire history of the Capitol, N. Y.
Then "Summer Holiday" (*Technicolor*)
And "Big City." Then "The Pirate" (*Technicolor*)
"On An Island With You" (*Technicolor*)
Irving Berlin's "Easter Parade" (*Technicolor*)
"A Date With Judy" (*Technicolor*)
Then "Julia Misbehaves"! Followed by
"A Southern Yankee"
Then "Three Musketeers" (*Technicolor*)
And more M-G-M Big Ones!
Everybody's saying it: Happy days
Are here again, thanks to—
Naturally—"VITAMIN M-G-M"!



Hughes-RKO

(Continued from page 1)

week had been made "firm and final" despite the receipt of a higher cash offer from another source. The tentative agreement contained a stipulation that Odlum could withdraw from the deal should he get a better offer within a 10-day period. Odlum said that "the shares will change hands within the next day or two."

Weighed Hughes' Future Plans

The Atlas head explained he had been prompted to accept the Hughes deal in preference to the alternate bid because of the producer's "indicated plans with respect to the future of the company."

"These plans," Odlum added, "are important to Atlas Corp. not only because it has been the sponsor for RKO during more than 12 years past, but also because Atlas Corp. eliminated from the sale to Howard Hughes, and will continue to hold, a large block of RKO option warrants and is therefore maintaining a direct and heavy financial interest in the company's progress and future."

Atlas holds 327,812 option warrants, which had a total market quotation of $655,624 at the end of 1947.

Rathvon, Depinet Seen Staying

Under the agreement N. Peter Rathvon, RKO president, and Ned E. Depinet, executive vice-president, are expected to remain with the company. Dore Schary, vice-president in charge of production, is under contract which can be cancelled at his election in the event of a change of management. Rathvon and Depinet have contracts which run concurrently to 1952. The latter will leave for the Coast on Saturday to confer with Hughes. Rathvon is in Hollywood now.

Hughes is expected to become active in the company's affairs but will not devote his entire time to RKO. There exisits some possibility that he will replace Odlum as chairman of the board. Hughes also is expected to name several directors to replace present Atlas representatives on the board, among them Odlum and L. Boyd Hatch.

Trade speculation also centers on what attitude Hughes may take toward RKO membership in the Motion Picture Association of America. Hughes entered into a controversy with the MPAA over refusal to grant a Production Code seal to his picture, "The Outlaw." A suit by Hughes against the MPAA resulted and still is pending.

Rathvon 'Pool' Fizzled

During the 10-day interval between the Hughes-Odlum "tentative agreement" and formal closing of the deal yesterday, Rathvon reportedly endeavored to form a pool consisting primarily of numerous RKO employes to make a counter bid for the Atlas shares. The effort did not succeed, some reports attributing its failure to uncertainties created by the handing down of the U. S. Supreme Court decision on May 3 in the Government anti-trust suit against the industry.

Reports also have it that a third bidder, representing West Coast interests, unsuccessfully entered the scene during the past 10 days, but that its offer was unacceptable to Odlum. This is the offer which it is generally believed Odlum's statement referred to as being less promising than Hughes' future plans for RKO.

Hughes, head of the Hughes Tool Co., Houston, Tex., was the producer of such pictures as "Two Arabian Knights," "Hell's Angels," "Scarface," "Front Page," "Sky Devils" and the current "The Outlaw" since 1927, when he first engaged in production.

There are approximately 4,000,000 shares of RKO common outstanding but the block acquired by Hughes is the largest single holding by far and carries with it effective control of the company.

'Rumor', Dozier Calls Report He'll Join RKO

HOLLYWOOD, May 11.—William Dozier, chief aide to the late Charles Koerner before he joined Universal-International as vice-president and associate to William Goetz in 1946, today described as "a well-circulated rumor" a report that he would move to RKO in a production executive capacity under Howard Hughes' regime.

NBC Leases Space at RKO Pathe Plant

National Broadcasting has leased three sound studios at RKO Pathe's production headquarters at 106th St. and Park Ave. here. Included in the lease are all set construction facilities and an entire floor for office personnel. The space will be used by NBC for the production of "live" television shows. The lease, effective July 1, is for five years.

RKO Pathe will retain its projection and cutting rooms and sound recording facilities, including music stages.

Para. Promotions

(Continued from page 1)

LiBeau who resigns at the end of the month. Don Hicks, manager at Omaha, to manager at Des Moines, replacing Hamburg. Harry Haas, manager at Charlotte, to St. Louis manager, replacing Maurice Schweitzer who has resigned. Al Duren, branch manager at Jacksonville, to manager at Charlotte, replacing Haas.

Also William Holliday, salesman at Atlanta, to manager at Jacksonville, replacing Duren. Ed Fitzgerald, salesman at Atlanta, to sales manager at Atlanta. Wayne Thiriot, salesman at Salt Lake City, to manager at Portland, Ore., which office was reopened recently. Marion Anderson, salesman at Kansas City, to manager at Omaha, replacing Hicks. Cornell J. Duer, appointed branch manager at Denver, replacing Walter Wiens, resigned.

DuMont Offers

(Continued from page 1)

iner to determine the extent of Paramount's control of DuMont. Further field hearings are scheduled in San Francisco and other cities.

DuMont said that his television network had no plans to include any Paramount affiliate, but he did not say categorically that they might not eventually do so.

Raibourn said that Paramount has spent from $3,000,000 to $4,000,000 in developing television, and that it would spend another $5,000,000 if pending applications of its various subsidiaries are approved.

Wuxtry! Wuxtry!

Rea alla bowdit!

Hennery Mawgin

starra raaaydyo

inna wonaful

noo moom pitcha

"SO DISIZ NOO YAWK"

TRANSLATION:

Something NEW has been added to motion pictures and it's HENRY MORGAN in "SO THIS IS NEW YORK"

like it says here .. ya gits it tröo U.A.

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 93 NEW YORK, U.S.A., THURSDAY, MAY 13, 1948 TEN CENTS

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MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

Hughes to Tell RKO Plans at Coast Meeting

Will See Company Heads At Indio This Weekend

HOLLYWOOD, May 12.—Plans and policies for the operation of RKO under his control will be disclosed by Howard Hughes at conferences to be held this weekend at the Indio, Cal., ranch of Floyd B. Odlum, president of Atlas Corp. Control of RKO passed to Hughes with the purchase of Atlas' 929,020 shares of RKO common stock.

Present at the conferences besides Odlum will be a large number of RKO executives, department heads and producers. In addition to RKO president N. Peter Rathvon, production head Dore Schary, and other studio officials, there will be on hand Ned Depinet, who is scheduled to fly to the Indio meetings on Saturday. He may be accompanied by Phil Reisman and

(Continued on page 6)

'Curtain' Opens High In Spite of Protest

Tuesday night's riotous pro-Soviet protest by the New York Committee Against War Propaganda against "The Iron Curtain" at New York's Roxy Theatre had no adverse effect on business yesterday, when the picture grossed better than $13,000, which the management considers good for an opening day.

One surprise, said a Roxy spokesman, was the extent of the so-called "family business," in view of the

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Anticipate Canadian Ticket Tax Change

Ottawa, May 12.—The Canadian government's annual budget is expected to be announced in Parliament on May 18 and forecasts suggest possible amusement tax changes may be forthcoming.

Various Canadian provincial governments have been campaigning for a reduction of the war-time 20 per cent ticket tax to 10 per cent to enable them, in turn, to impose a 10 per cent tax for hospital and other needs.

Independents' Unity Tied to Decision at Kans.-Mo. Meeting

KANSAS CITY, May 12.—A call for a "strong" and "militant" organization of independent exhibitors in the light of the Supreme Court decision in the Government anti-trust suit against the industry was issued here today at the opening of the Allied Independent Theatre Owners of Kansas and Missouri convention by O. F. Sullivan, president of the organization.

There was never a more opportune time for a strong organization of independent exhibitors, Sullivan declared, citing the "recent liberating news which means the breaking of the chains and shackles which have held

(Continued on page 2)

Says BBC Video Is Rival of Newsreels

Intense competition now exists in England between the newsreels and the British Broadcasting Company which recently started its own television newsreel, Howard Thomas, producer of Pathe News in London, said here yesterday on his arrival on the *SS. Queen Elizabeth*. BBC has three television newsreel shows a week, Thomas disclosed. Other newsreel delegates who arrived for newsreel conferences were Mme. Raymonde

(Continued on page 6)

Big Technicolor Jam In UK: Levy

Britain's Technicolor laboratories currently have a backlog of 20 American and three British features plus a large number of short subjects, it is reported here by William B. Levy, Walt Disney Productions' world sales supervisor, who returned recently from a two-week visit in London. Levy said the British Technicolor

(Continued on page 6)

New U.S. Films to Be Delayed in Britain

Although new American films are flowing into Britain again, most exhibitors will not be showing them until about September because of previous commitments, Sam Graham, managing director of S. G. Cinemas, Ltd., London, and a leader of the Cinematograph Exhibitors Association, said here yesterday on his arrival on

(Continued on page 6)

Danish Market Is Opened to US Films

Copenhagen, May 12.—The government has opened the Danish film market for the unlimited importation of American productions. Eight distributors immediately set plans to import 81 features.

The new arrangements will permit the remittance of $120,000 for the rest of the year by all companies.

Heineman to Preside At Four Meetings

For the first time all Eagle-Lion district managers, branch managers and salesmen will attend sales meetings announced here yesterday by William J. Heineman, distribution vice-president. Four regionals, each to be addressed by Heineman; Max E. Youngstein, advertising-publicity vice-president, and L. J. Schlaifer, assistant to Heineman, will highlight new production plans from Hollywood and the lineup of J. Arthur Rank British productions to be released by Eagle-Lion.

First meeting will take place at the Warwick Hotel, New York, Saturday and Sunday. Present will be personnel from Boston, New Haven, Buffalo, Albany, Philadelphia, Cleveland, Cincinnati, Washington, Pittsburgh and New York. On May 22 the three will conduct a meeting in Chicago, attended by sales forces from Chicago, Detroit, Indianapolis, Milwaukee,

(Continued on page 6)

7 More Projects in Coast Building Boom

SAN FRANCISCO, May 12.—Biggest theatre building boom since World War II construction restrictions were removed is now under way in the San Francisco territory, seven more new projects having been added to the many reported in recent weeks.

Michael Naify announces plans for another theatre in Yuba City. Naify, owner of Smith's Theatre there, and operator of T. and D., Jr., Enterprises, said the new house will seat 1,000.

December is the opening date set for the new 1,000-seat house under construction by David Bolton of Oakland. Bolton said Amelia Benidettino, present manager of the Del Rio, will manage the house, to be called the Crest.

Bids will be called shortly for a

(Continued on page 2)

Decision Seen Calling for More Product

More Rapid Playoffs, New Theatres Resulting

More rapid play-off of product occasioned by the U. S. Supreme Court's directive for clearances limited to the minimum competitive needs of theatres in its decision in the Paramount case, in turn will call for increased production, some sales executives here believe.

They conclude that this factor, together with theatre-by-theatre selling in competitive situations, will encourage not only new producers but new exhibitors, too, to enter the industry. The new theatres, in turn, will add their requirements to other circumstances inherent in the decision which will increase the demand for product.

The Supreme Court rejected the distributors' contention that clearances should be established to insure a fair

(Continued on page 2)

31% More Scripts Screened by PCA

WASHINGTON, May 12.—Motion picture scripts reviewed by the production Code Administration during 1947 showed a sharp jump over 1946, according to the annual report submitted by PCA director Joseph I. Breen, which discloses an increase of 31.1 per cent, from 928 in 1946 to 1,217 last year. "Such a startlingly large increase . . . would seem to indicate the forthcoming production of a great number of pictures during 1948," Breen stated.

The PCA during 1947 approved 404

(Continued on page 2)

NLRB Parley Today On WB-'IA' Tilt

Representatives of Warners and IATSE Motion Picture Home Office Employes Local No. H-63 will hold a pre-contract conference here today with National Labor Relations Board officer Arthur Younger in an endeavor to iron out a dispute rooted in Taft-Hartley law provisions and to set a mutually satisfactory date for holding

(Continued on page 7)

Personal Mention

CECIL B. DeMILLE left Washington yesterday by train for Los Angeles.

•

BILL BROWN, manager of the Loew-Poli Bijou Theatre in New Haven, and MRS. BROWN, will celebrate their 30th wedding anniversary on Sunday, also marking his 35th year in show business.

•

JOAN M. LYMAN, Universal-International secretary in the accessories sales department and "Miss Subways" for May, will be interviewed by MARTIN STARR on Friday over Station WINS, New York.

•

ALFRED CROWN, foreign head of Samuel Goldwyn Productions, is scheduled to leave here on a European trip on May 22 aboard the *S.S. Queen Mary*.

•

BERT SANFORD, Altec Lansing Theatrical sales manager, is on a business trip through the Middle West and South this week from New York.

•

LOU SOLKOFF, Bell Pictures booker here, and MRS. SOLKOFF, have become parents of a daughter, MARSHA JOAN, born in Jersey City.

•

JAMES R. GRAINGER, Republic's distribution head, is back here from sales meetings in Chicago, Denver, San Francisco and Los Angeles.

•

JOSEPH L. MANKIEWICZ, 20th Century-Fox producer, is in town from the Coast.

•

LEONARD GAYNOR has been engaged by Paramount for a special promotion campaign.

•

E. M. GLUCKMAN of All-American News, Chicago, is visiting Astor Pictures' exchange in Atlanta.

•

WILLIAM KATZELL, Eagle-Lion producer, has returned to Hollywood from New York.

•

BURT LANCASTER is in town from Hollywood.

Conclude Arguments In Capital Action

WASHINGTON, May 12.—Argument was concluded here today on a motion of the Walbrook and Hilton theatre companies of Baltimore to be dismissed as defendants in the treble damage anti-trust suit brought against them and major distributors by the Windsor Theatre. The two Baltimore theatre firms contend they do not do business in the District of Columbia, and so cannot be sued here.

Judge Bolitha Laws gave Windsor attorney Harold Shilz five days in which to submit findings of fact on the motion, and Walbrook-Hilton attorney Robert Sher another five days to answer. He will then rule on the motion.

US Library Seeking To Set Up Film Unit

WASHINGTON, May 12.—Authorization for the Library of Congress to "acquire, organize and service" motion pictures will be sought within 10 days, Dr. Luther Evans, Congress Librarian, disclosed here after the House Appropriations Committee failed to earmark funds for the Library's motion picture project which was ordered liquidated last year.

Dr. Evans said he had been holding back such action, which will be suggested to the House Committee on Administration, until the appropriations committee acted. The bill which the Library will offer, he said, will provide that copyrighted films can be used only with the consent of the copyright owner.

Meanwhile, the appropriations unit voted some increase in funds for the Copyright Office.

RKO May Reopen Main St. in K. C.

KANSAS CITY, May 12.—Under an arrangement long pending, the Main Street Theatre here, closed in 1942, reportedly will be reopened about Oct. 1 under RKO operation, with Fox Midwest taking over the Orpheum, now run by RKO.

The report came with the announcement that U. S. Attorney General Tom Clark had indicated there appeared to be no objections to the reopening of the Main Street. Jerome Hinback of Chicago and William W. Howard and James Roth of New York were here recently to inspect the theatre building for RKO. The house is to be reconditioned.

It is believed that court approval of the proposed taking over of Orpheum by Fox Midwest and opening and operating of Main Street by RKO is required, by application to the court handling the Paramount case.

Bankers To Hear Coyne

ATLANTIC CITY, May 12.—Theatre Owners of America executive director Robert W. Coyne will address a meeting of the New Jersey State Bankers Association at the Hotel Traymoor here tomorrow. Speaking in his capacity as a special consultant to the U. S. Treasury, Coyne will discuss recent economic and financial developments in the U. S.

Kirsch Hails One Ruling

CHICAGO, May 12. — Jack Kirsch, president of Allied Theatres of Illinois declines to make any comment on the Supreme Court decision in the Paramount anti-trust case except to say he was highly pleased over the court's declaration which rated motion pictures with the same freedom-of-the-press protection as newspapers.

$1,000 to Cancer Fund

CHICAGO, May 12. — Proceeds of more than $1,000 were sent to Walter Winchell in New York for the Damon Runyon Cancer Fund by the Alliance Theatre circuit here, which held a cancer fund benefit at the State Theatre here.

Decision Seen

(*Continued from page* 1)

return to the licensor. The court ruled that "the only measure of reasonableness (of a clearance) by Sherman Act standards is the special needs of the licensee for the competitive advantages it affords."

Some sales executives offer the opinion that, applied practically, that ruling would advance the play-off of product by weeks in many instances and, in so doing, would tend to shorten prior runs in many situations, thus resulting in playing time which would have to be filled by new and increased production.

See Spur for New Theatres

Since the Supreme Court has held that pictures must be sold singly and has indicated that negotiations should be on a theatre-by-theatre basis, many industry veterans believe that new theatres will be encouraged in most areas.

They point out that theoretically an exhibitor, now being assured of being able to obtain product, can build in any situation and, failing to do so, can bring suit not only to gain product but to obtain damages.

Virtually all interpreters of the decision agree that it gives everyone in the industry grounds for suing everyone else. Producers and distributors can sue circuits or combinations of exhibitors which refuse to deal for closed situations unless open situations are included. Exhibitors can sue distributors for a wide variety of sales practices heretofore followed. Theatres can sue other theatres if they feel they have been excluded from advantages enjoyed by competitors.

'Years' of Litigation Expected

While the industry may be embroiled in litigation for years in consequence, most observers feel the net result, regardless, will be an appreciable increase in theatres and a consequent demand for more product. Inevitably, that will bring new producers into the industry, it is felt, particularly because of the decision's encouragement to independent producers who no longer will be required to negotiate with circuits, affiliated or independent, on a "take it or leave it" basis. Many independent producers have remained out of important markets heretofore rather than making the kind of deals offered them.

31% More Scripts

(*Continued from page* 1)

features, the report stated. This was a 4.9 per cent drop from the total approved in 1946. Short subjects approved totaled 544, compared with 549 in 1946.

Of the 1,217 scripts submitted, 72 were rejected when first submitted but later revised and approved; during 1946, there were 69 scripts in this category. An additional 65 scripts, novels, plays and short stories rejected during 1947 had not been re-submitted by the end of the year.

Feature pictures not approved in their original form totaled 59, all of which were revised and subsequently approved; in 1946, this figure was 82.

Allied Considering Road-showing 'Ruth'

HOLLYWOOD, May 12.—Despite the recent Supreme Court decision holding film price-fixing to be illegal, Allied Artists' sales organization is trying to induce Steve Broidy, company president, to agree to the road-showing of Roy Del Ruth's "The Babe Ruth Story" this season, and releasing it generally next year. No decision has been announced on the subject, but the matter is under consideration, according to a company statement.

Industry attorneys feel that while the high court decision does not apply directly to non-defendants in the Paramount anti-trust case, it could be invoked by any exhibitor who could prove injury resulting from a price-fixing contract.

Independents' Unity

(*Continued from page* 1)

the independent exhibitors of this country in economic servitude for two decades."

He added that there is "a new dawn" for "individual initiative and free enterprise in our line of endeavor," and exhibitors should be fired with a more determined enthusiasm to marshal their forces and bind them firmly into a militant organization.

References during the meeting to the committee set up some months ago by the Kansas-Missouri unit to police the decree expected in the Government's suit disclosed that the committee is already functioning.

Other speakers at today's session were Sidney Samuelson of Eastern Pennsylvania Allied, who also touched on policing plans; Ed Lachman of New Jersey Allied, who spoke about the handling of local and state tax matters affecting New Jersey theatres, and Henderson M. Richey, M-G-M exhibitor relations head, who urged that energy and initiative in selling and in the promotion of good will toward theatres and the industry are vital for the future of the small-town exhibitors especially.

Coast Building

(*Continued from page* 1)

new 950-seat theatre planned for Hollister by the Golden State Circuit.

Two new Northern California theatres slated for construction are the Star at Lincoln Acres, a 500-seat showcase to be built by Woodrow Wilson, and a theatre at Pollack Pines to be constructed by Lester Longhurst.

Bert Kennerson, former manager of the State Theatre, San Jose, has announced that June 1 will be the opening date for his new 600-seat Fay Theatre.

Robert Retzer will open his Playon Theatre at Pinedale, a 375-seater, next week.

Loew Settlement Delayed

Only a solitary holder of 100 shares stands in the way of acceptance of the settlement offered by Loew's in the minority stockholders' suit brought against the company and the People's Candy Co. over operation of the circuit's candy concessions, it was learned here yesterday.

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Next Week

THE MAGIC OF WARNER SHOWMANSHIP!

ERROL FLYNN ANN SHERIDAN

"SILVER RIVER"

DIRECTED BY RAOUL WALSH · PRODUCED BY OWEN CRUMP

Screen Play by Stephen Longstreet and Harriet Frank, Jr.
From a Novel by Stephen Longstreet Music by Max Steiner

WITH THOMAS MITCHELL · BRUCE BENNETT

IN THE WEST'S GREAT SILVER TERRITORY 150 THEATRES JOIN IN THE JUBILEE CELEBRATION OF ITS WORLD PREMIERE!

Sing out the news

FIRST REVIEWS FLASH THE WORD THA NEW-LOOK MUSICAL IS:

"**Breath-taking**...and earmarked for the niftiest grosses. Should solve any ticket-buyer's entertainment problem. A natural parlay: Crosby, Strauss Melodies, comedy and gorgeous color. Multiple functions of Brackett & Wilder have given film an infectious quality, zing dialogue, zippy pace."—VARIETY

"**Lavish,** quality fare. It's going to kick its heels into the high brackets where the season's big boxoffice money will be found. The stuff of sock audience satisfaction. Strewn with gags and the telling is sheer delight."—FILM DAILY

"**Different.** Will bring joy to the boxoffice and even more to those who go to see it. One of the most delightful in many a year. Patrons will chuckle throughout its whole unreeling. Brackett & Wilder get better with every picture and this is their crowning creation."—HOLLYWOOD REPORTER

"**Laughladen** yarn in which blueblood and snobbishness are subjected to as thorough a ribbing as the screen has ever essayed. Add the mighty magnetism of No. 1 Boxoffice Star Crosby and the offering undoubtedly totals top popularity."—BOXOFFICE

"**Delightful** humor in the foreground. Bing was never better, and not as good since 'Going My Way' as he is in this one. He was fortunate in having the clever Brackett & Wilder guiding his enterprise. They've embroidered their situations with chuckles and charm."—M. P. DAILY

'a Great New Hit

ARAMOUNT'S

"**Boxoffice** picture . . . adds up to topnotch entertainment for moviegoers of all ages. Highly imaginative—a gem. Crosby a standout. Extra playing time seems destined."—SHOWMEN'S TRADE REVIEW

"**Super** production numbers, glittering Technicolor and oh-so-solid new tunes. There's a long, long line of greenbacks in store for it. One of the year's big boons for the exhibitor. Paramount obviously opened the floodgates for this one."—DAILY VARIETY

"**Excellent;** money in the till in any situation. Has what it takes to keep the turnstiles moving. The customers are a cinch to tell Cousin Mabel and Friend Bill that there's a real slice of entertainment at the movies down the street."—MOTION PICTURE HERALD

BING CROSBY ★ JOAN FONTAINE

in

"The Emperor Waltz"

Color by TECHNICOLOR

with ROLAND CULVER · LUCILE WATSON · RICHARD HAYDN · HAROLD VERMILYEA

Produced by CHARLES BRACKETT · Directed by BILLY WILDER

Written by Charles Brackett and Billy Wilder

GALA PREMIERE, NIGHT OF MAY 26, AT PARAMOUNT HOLLYWOOD

Warner UK Releases Set for 6 Months

Releases of Warner product in England for the next six months were announced in London by Max Milder, WB's managing director in the British Isles, the company's home office reported here yesterday.

Scheduled are: "City for Conquest," reissue, May 24; "Wild Bill Hickok," reissue, May 24; "The Beast with Five Fingers," June 28; "The Man Who Came to Dinner," reissue, June 28; "Deep Valley," July 19; "Cheyenne," Aug. 9; "The Woman in White," Aug. 30; "The Unsuspected," Sept. 20, and "Life With Father," Oct. 11.

US Films' Delay

(*Continued from page* 1)

the *S.S. Queen Elizabeth*. Among other arrivals were John Woolf, joint managing director of J. Arthur Rank's General Film Distrbutors, and Mrs. Woolf, actress and producer, known professionally as Edanna Romney.

Graham, who arrived with Mrs. Graham, said that "just about everyone is happy now" in England over the settlement of the 75 per cent *ad valorem* tax. Graham pointed out that while good pictures are doing well, "ordinary pictures" are doing badly. He said audiences preferred light films and were fed up with psychological films. Graham, who is here on a business and pleasure trip, will leave in two weeks for Bermuda. He will depart for England on July 3.

Woolf repeated that Rank intends to release from 28 to 30 films here this year, approximately double last year's. He asserted that while British film makers are improving, he doubts that their films "would be altered basically" for the American market.

Mrs. Woolf declared her film, "Corridor of Mirrors," in which she stars, co-produced and co-authored with Rudolph Carter, has been set for release here through Universal-International.

DeToth Back from Australian Talks

HOLLYWOOD, May 12. — Director Andre De Toth has returned from Australia where he conferred with Sam Snyder, exhibitor and financier, regarding plans for making a series of Sam Bischoff Productions in the Antipodes using blocked American capital. Veronica Lake and Dick Powell would star in one or two pictures each under the deal.

Project hinges on the outcome of legal technicalities regarding use of frozen American film funds in Australian production. De Toth was accompanied by Herbert Silverberg representing a group of independents.

SUMMER RENTAL

COMPLETELY FURNISHED (With Exception of Linen and Blankets) NEW MODERN SMALL 4 BEDROOM HOUSE — Three Blocks From Semi - Private Beach — 1½ Miles from Rye Station — 2 Blocks from Connecting Bus — Excellent Commuting Trains.

Barbecue — Garden — Garage

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Review

"Fighting Father Dunne"

(*RKO Radio*) *Hollywood, May* 12

PAT O'BRIEN'S large and faithful following may be depended upon to turn out in force for his portrayal here of the priest whose founding of a home for newsboys in St. Louis back in 1900 is a prime item in the annals of juvenile welfare, and to tell their friends about it. O'Brien is virtually alone in the attraction, as to marquee, as he was in the fight to establish a haven for the homeless urchins who peddled papers under the hardships of that era of newspaper circulation battles. His performance in the role is easily his best in many years.

The story, set down here in a script by Martin Rackin and Frank Davis, based on a story by William Rankin, is well and widely known. Father Dunne, sympathetically drawn to the under-privileged newsboys, obtains permission from his Archbishop to devote himself to investigating conditions which have made them subject to the temptations of petty crime, and forthwith rents an abandoned house wherein he sets up housekeeping with five of them. By persuasion and persistence, he gradually enlists donors of necessities, finally developing the project to the status of a well-equipped home harboring more than 100 youngsters. Darryl Hickman portrays the one boy among them who, due to fear of his worthless male parent, defaults and is penalized by the law for a murder committed in panic.

Others in the cast are Charles Kemper, Una O'Connor, Arthur Shields, Harry Shannon, Joe Sawyer and Anna Q. Nilsson. Ted Tetzlaff directed for producer Phil L. Ryan and executive producer Jack J. Gross.

Running time, 91 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER

BBC Video a Rival

(*Continued from page* 1)

Audibert, director of Pathe Journal in Paris, and William Murray, European chief of Warner Pathe News. Third conference of the British, French and American Pathe reels since the war, it will seek ways of improving world coverage.

Thomas said that the film industry wants television in theatres, but is prohibited by the government. As a result, he said the industry has refused to allow its films to be shown over television. He pointed out that television, like radio, is a government monopoly in England. It is expected shortly, however, that the situation will change, he said. Already theatres are preparing for television, Thomas said, pointing out that Rank now has six houses wired for video.

Thomas revealed that newsreel sales are still frozen as of war time, but that the freeze soon is expected to be dissolved. As a result, he said, the five major newsreels "are getting set for a fight" to increase sales.

Mme. Audibert asserted that despite an increase in admissions of 30 per cent allowed by the government in November, grosses have not increased accordingly because of a decline in attendance. She said the reels in France get three per cent of the gross. One of the reels' major problems is the difficulty of paying foreign correspondents in currency of their own country, she said.

Murray said that the newsreel situation in England "is much better now." He said that raw stock is now available, but the government limits the number of prints per company.

UK Technicolor Jam

(*Continued from page* 1)

plants "have their hands full with work," and that the backlog comprises pictures submitted between August, 1947, and April, 1948, for processing.

In consequence, Levy expects it may be longer than he anticipated before Disney's "Melody Time" is Technicolor-processed in London and released there. Meanwhile, Levy said, Technicolor is "moving along" with U. K. expansion plans.

Hughes - RKO

(*Continued from page* 1)

possibly others from the company's home office in New York.

Actual implementation of Hughes' control of RKO is expected to take place next week.

A statement by Hughes on his policy was withheld late yesterday, but he approved posting of a bulletin to studio employes by Rathvon, saying, in part:

"I have had numerous conversations with Hughes and we seem to be in agreement in all matters of policy. There is no reason to assume that it will be otherwise in the future. Hughes has no hungry army of relatives looking for your jobs, nor substitutes waiting to step into RKO management. Now that the excitement is over, let's all settle back to work."

Meanwhile, United Artists president Gradwell Sears is expected here on Monday to confer with Hughes on disposition of the latter's unreleased "Vendetta" and "Mad Wednesday." Discussion may also include "The Outlaw," which Hughes reportedly wishes to switch to RKO release.

Hughes-Odlum Deal May Delay RKO Stockholders' Meeting

Possibility arose yesterday that the annual RKO stockholders' meeting might be delayed as a result of the sale to Howard Hughes of the block of company common stock held by Floyd Odlum's Atlas Corp. Company by-laws stipulate that the meeting be held the first Wednesday in June, (June 2, this year). It was presumed yesterday that the mailing of proxy statements would be held up until Hughes' interests are heard from.

To the new board to be elected by the stockholders Hughes is expected to nominate several directors to succeed Atlas representatives. At the election of officers following the naming of the board it is expected that Odlum will be replaced as chairman by Hughes.

'Express' Opens May 20

RKO Radio's "Berlin Express," produced by Bert Granet and directed by Jacques Tourneur, will have its New York premiere at the Victoria Theatre here on May 20.

Frequency Changes Seen Affecting Video

WASHINGTON, May 12.—If all television, "which gives promise of being a billion dollar business this year," were required to move at this time to higher radio frequencies, "it would mean no television at all," Dr. C. B. Jolliffe, executive vice-president of RCA, testified here today at a hearing of the Senate Interstate and Foreign Commerce Committee.

"RCA," Joliffe said, "was a pioneer in FM and it was a pioneer in television. We do not take a stand in favor of one against the other. We are convinced that the needs of both can be advanced without a feud between the two. In our opinion, the way to promote FM is to promote FM and not fight television."

Mullen Leaving NBC To Head Network

Frank E. Mullen, executive vice-president of National Broadcasting and chief of NBC television operations will resign July 1 to become president of Goodwill Stations, operator of WJR, Detroit; WGAR, Cleveland, and KMPC, Los Angeles, it was disclosed here yesterday by an NBC spokesman.

Mullen will succeed G. A. Richards who is expected to retire from active participation in Goodwill. Mullen, who joined NBC in 1926, has been a vice-president since 1940 and held a similar position with RCA from 1934 to 1940.

MBS Video Due in Fall

Mutual Broadcasting's television network operations, originating for the most part from its New York station, is expected to begin late this fall, according to Edgar Kobak, MBS president. The video programs will be on a network basis in the East first, he said.

New Video Recording

DuMont Laboratories will hold a television demonstration here tonight at the Park Lane Hotel where it is expected a new film recording method will be shown.

ATS Spring Party May 20

Spring party of the American Television Society and the closing luncheon-meeting of the 1947-48 season will take place next Thursday at the Hotel Astor here.

Heineman to Preside

(*Continued from page* 1)

Minneapolis, Kansas City, St. Louis, Omaha and Des Moines. Third meeting, to be held in New Orleans on May 24, will bring sales groups from New Orleans, Memphis, Atlanta, Oklahoma City, Charlotte and Dallas. Final meeting will be held in San Francisco on May 29, for personnel from San Francisco, Los Angeles, Portland, Seattle, Denver and Salt Lake City.

'4 Faces' Opens Saturday

Commemorating the 50th anniversary of the formation of the "Rough Riders" in Santa Fe, New Mexico, the U. S. Army and the Air Force have completed plans for a celebration which will culminate in the world premiere of United Artists' "Four Faces West" at the Lensic and Burro Alley theatres, in Santa Fe.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

"Women in White," with "Always Together," ran comfortably above average to rescue a week of otherwise doleful news from the first-run front. Weather was okay and there was no extraordinary counter-attraction to account for the general neglect at Los Angeles box-offices. Estimated receipts for the week ended May 12:

THE FIGHTING 69TH (WB Re-release) and VALLEY OF THE GIANTS (WB Re-release) — HILLSTREET (2,700) (50c-60c-80c-$1.00). Gross: $14,000. (Average: $18,300)

THE FIGHTING 69TH (WB Re-release) and VALLEY OF THE GIANTS (WB Re-release) — PANTAGES (2,000) (50c-60c-80c-$1.00). Gross: $9,000. (Average: $17,300)

FURY AT FURNACE CREEK (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox) — CHINESE (2,300) (50c-60c-85c-$1.00). 5 days, 2nd week. Gross: $7,500. (Average: $15,700)

FURY AT FURNACE CREEK (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox) — LOEW'S STATE (2,500) (50c-60c-85c-$1.00). 5 days, 2nd week. Gross: $13,000. (Average: $21,700)

FURY AT FURNACE CREEK (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox) — LOYOLA (1,265) (50c-60c-85c-$1.00). 5 days, 2nd week. Gross: $7,000. (Average: $10,000)

FURY AT FURNACE CREEK (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox) — UPTOWN (1,716) (50c-60c-85c-$1.00). 5 days, 2nd week. Gross: $5,500. (Average: $10,800).

LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.) —GUILD (965) (50c-60c-85c-$1.00). Gross: $7,000. (Average: $7,100)

LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.) —IRIS (708) (50c-60c-85c-$1.00). Gross: $8,000. (Average: $7,100)

LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.) — RITZ (1,376) (50c-60c-85c-$1.00). Gross: $12,000. (Average: $10,300)

LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.) —STUDIO (880) (50c-60c-85c-$1.00). Gross: $7,500. (Average: $6,900)

LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.) — UNITED ARTISTS (2,100) (50c-60c-85c-$1.00). Gross: $11,000. (Average: $15,400)

SAHARA (Col. Re-release) and DESTROYER (Col. Re-release) — BELMONT (1,600) (50c-60c-85c-$1.00). Gross: $6,000. (Average: $6,600)

SAHARA (Col. Re-release) and DESTROYER (Col. Re-release)—EL REY (861) (50c-60c-85c-$1.00). Gross: $6,000. (Average: $7,000)

SAHARA (Col. Re-release) and DESTROYER (Col. Re-release) — ORPHEUM (2,210) (50c-60c-85c-$1.00). Gross: $15,500. (Average: $14,300)

SAHARA (Col. Re-release) and DESTROYER (Col. Re-release) — VOGUE (800) (50c-60c-85c-$1.00). Gross: $6,500. (Average: $7,500)

THE SAINTED SISTERS (Para.) and SHAGGY (Para.) — PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00). Gross: $12,500. (Average: $21,000)

THE SAINTED SISTERS (Para.) and SHAGGY (Para.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00). Gross: $9,000. (Average: $15,000)

STATE OF THE UNION (M-G-M) — EGYPTIAN (1,000) (50c-60c-85c-$1.00). 2nd week. Gross: $13,000. (Average: $13,900)

STATE OF THE UNION (M-G-M) — FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00). 2nd week. Gross: $15,000. (Average: $13,800)

STATE OF THE UNION (M-G-M) — LOS ANGELES (2,096) (50c-60c-85c-$1.00). 2nd week. Gross: $16,000. (Average: $21,200)

SUMMER STORM (UA-Re-release) and ABROAD WITH TWO YANKS (UA Re-release) — MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00). 5 days. Gross: $1,200. (Average: $4,300)

SUMMER STORM (UA-Re-release) and ABROAD WITH TWO YANKS (UA Re-release)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00). 5 days. Gross: $2,800. (Average: $9,600)

SUMMER STORM (UA-Re-release) and ABROAD WITH TWO YANKS (UA Re-release) — MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00). 5 days. Gross: $1,300. (Average: $5,200)

SUMMER STORM (UA-Re-release) and ABROAD WITH TWO YANKS (UA Re-release) — MUSIC HALL (Hollywood) (490) (65c-85c-$1.00). 5 days. Gross: $1,000. (Average: $4,300)

WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB) — WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00). 6 days. Gross: $17,000. (Average: $16,300)

WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB) — WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00). 6 days. Gross: $16,000. (Average: $12,400)

WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB) — WARNERS (Hiltern) (2,300) (50c-60c-80c-$1.00). 6 days. Gross: $16,000. (Average: $12,600)

CHICAGO

Belated April showers are partially to blame for spotty loop attendance. Strong attractions such as "Naked City," the Berle-Blondell package, and "State of the Union" are doing excellent business, while hold-overs and other newcomers are exceedingly poor. Neighborhoods, however, are flourishing. Estimated receipts for the week ending May 13:

ALIAS A GENTLEMAN (M-G-M)—ORIENTAL (3,300) (98c) On stage, Milton Berle, Joan Blondell. Gross: $65,000. (Average: $40,000)

ARE YOU WITH IT? (U-I) — GRAND (1,150) (67c-98c). Gross: $9,000. (Average: $16,000)

FURY AT FURNACE CREEK (20th-Fox) (953) (50c-57c-95c). Gross: $16,000. (Average: $13,500)

SITTING PRETTY (20th-Fox)—CHICAGO (3,900) (98c) 2nd week. Gross: $22,000. (Average: $40,000)

STATE OF THE UNION (M-G-M) — WOODS (1,080) (98c). Gross: $30,000. (Average: $23,000)

THREE DARING DAUGHTERS (M-G-M) —UNITED ARTISTS) (1,700) (98c). Gross: $14,000. (Average: $23,500).

THE LADY FROM SHANGHAI (Col.)— STATE LAKE (2,700) 2nd week. Gross: $22,000. (Average: $35,000)

THE NAKED CITY (U-I) — PALACE (2,500) (67c-98c) 5 days, 2nd week. **BERLIN EXPRESS (RKO Radio)** 2 days. Gross: $25,000. (Average: $22,000)

THE OVERLANDERS (U-I) — APOLLO (1,200) (98c). Gross: $7,500. (Average: $17,000)

TO THE VICTOR (WB) — ROOSEVELT (1,500) (98c) 5 days, 2nd week. **WOMAN IN WHITE (WB)** 2 days. Gross: $10,000. (Average: $20,000)

INDIANAPOLIS

First-run theatres here are in the spring doldrums. First circus of the season here over the weekend was a depressing factor. "The Bishop's Wife" was the only film to beat a house average. Estimated receipts for the week ended May 11-12:

BLACK NARCISSUS (U-I) and CAMPUS SLEUTH (Mono.)—KEITH'S (1,300) (44c-65c). Gross: $4,000. (Average: $4,500)

THE BISHOP'S WIFE (RKO Radio)— CIRCLE (2,800) (44c-65c). Gross: $12,000. (Average: $10,000)

THE MAN FROM TEXAS (E-L) and ASSIGNED TO DANGER (E-L)—LYRIC (1,600) (44c-65c). Gross: $5,000. (Average: $6,000)

STATE OF THE UNION (M-G-M)— LOEW'S (2,450) (44c-65c) 2nd week. Gross: $10,000. (Average: $11,000)

UNCONQUERED (Para.)—INDIANA (3,200) (44c-50c). Gross: $12,000. (Average: $12,000)

U. S. Will Seek Bids For Capital's Belasco

WASHINGTON, May 12.—The Government will ask bids "in the immediate future" for the lease of the Belasco Theatre, formerly a legitimate theatre and now a Government storage warehouse. This was revealed by Public Buildings Administrator Joseph H. Curtis, son of Columbia Pictures' Jack Cohn.

'Curtain' Opens

(*Continued from page* 1)

speculation over an appeal in that direction. "Not a single complaint was reported," said the theatre.

There was no demonstration during the day, and only a few policemen were posted.

"Those who banded together Tuesday night to picket 'The Iron Curtain' at the Roxy are attacking the basic American right of free expression," Spyros P. Skouras, president of 20th Century-Fox, said yesterday.

Meanwhile, New York Supreme Court Justice Edward R. Koch yesterday reserved decision on a motion for a temporary injunction brought by four Soviet composers to restrain 20th Century-Fox from using their names and music in the film. The Russian government is supporting the composers' action. The composers are Dmitri Shostakovich, Aram Khachaturian, Serge Prokofieff and Nikolai Myaskovsky.

Protests, False Alarms Mark 'Curtain' Opening in Ottawa

OTTAWA, May 12.—Protesting telephone calls, sharply critical letters, editorial protests and false alarms to the fire department and hospitals marked the opening here today of 20th Century-Fox's "The Iron Curtain" before an overflow crowd at the Capitol Theatre.

Disney Dividends on Preferred Stock

Quarterly dividends of 37½ cents per share on six per cent cumulative convertible preferred stock, payable July 1 to stockholders of record on June 12, has been announced by Roy O. Disney, president of Walt Disney Productions. Another dividend will be paid on Oct. 1 to stockholders of record on Sept. 11, he added.

In addition, the board has declared two dividends of $2.25 each on the preferred stock payable on the same dates as the six per cent cumulative convertible preferred. Payment, Disney said, is subject to the consummation of a proposed loan of $1,000,000 to be secured by an assignment of future royalties from a recently signed 10-year book and magazine publication contract.

The board also declared the company intends to pay the remaining preferred dividend arrearages in installments of $2.25 on Jan. 1, 1949 and April 1, 1949.

New Republic Shorts

HOLLYWOOD, May 12. — Impossible Pictures has signed with Republic to deliver a series of Trucolor cartoons beginning July 1, it was announced by Herbert J. Yates, Republic president, and Leonard L. Levinson, Impossible president.

Popkin Signs Walker

HOLLYWOOD, May 12. — Harry Popkin has signed Helen Walker to a two-picture deal under his Cardinal Pictures banner for United Artists release.

Services for Mrs. Horwits

PHILADELPHIA, May 12.—Services were held today for Mrs. Ida Horwits, 72, mother of Al Horwits, Universal-International Eastern publicity manager. Mrs. Horwits died yesterday morning at her home here.

Ad Women to Hear Dietz

Howard Dietz, advertising-publicity vice-president of M-G-M, will address a motion picture luncheon of the Advertising Women of New York at a luncheon at the Hotel Astor here on May 18. Eleanor Kask of Funk and Wagnalls is luncheon chairman.

Reissue Buck Film

Frank Buck's "Bring 'em Back Alive" has been set for reissue by RKO Radio as part of block No. 5. It was first released in 1932.

WB - 'IA' Tilt

(*Continued from page* 1)

a Warner home office employes' election.

The Taft-Hartley law provides that an employes' election must be held prior to negotiations on a new contract to determine whether workers desire a union shop. The Warner home office contract expires on May 31, and Russell Moss, H-63 business agent, has announced that the local will seek new benefits, including a 12½ per cent "across the board" wage increase. Some 700 Warner home office employes are involved.

Moss reports that Warners has notified the local that the company intends to invoke the Taft-Hartley rule on confidential secretaries, which would make those secretaries ineligible for union membership. The local, he added, intends to retaliate by invoking the law's rule on working foremen. The "working foremen" rule, if applied, would make it illegal for Warner home office section heads to do more than "stand about and watch" while on the job. Today's conference, described as "informal" by Younger, will deal with these matters.

Dwyer Reelected

Joseph Dwyer has been reelected president of Theatrical Protective Union No. 1, IATSE, here, along with George Fitzgerald as vice-president; John C. MacDowell, secretary; John Garvey, treasurer; Sol Pernick, business manager, and Edward Mortimer, sergeant-at-arms. John Brousseau was reelected chairman of the board, and Jack Shapiro and Vincent Jacobi were elected trustees in an upset. John Goodson was appointed second business manager.

Walsh on ANTA Board

Richard F. Walsh, president of IATSE, and Robert Dowling, City Investing Co. president, have been elected to the board of directors of the American National Theatre and Academy here.

FULL HOUSE? it's a cinch with...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

He makes the most of moonlit moments . . .

IT'S mighty important to star . . . director . . . movie-goer . . . to have this moonlit moment come alive upon the screen.

And when it does—in all its subtlety of mood in light and shadow—the credit's due in no small measure to the important contribution of the laboratory control engineer.

For his knowledge of photochemistry, his "eye" for photographic quality . . . his vigilant control of printing density and contrast . . . do much to make moonlight footage *look* like moonlight, and help to bring out the best in every frame of film.

Quality of film contributes, too; and this important assistance the laboratory control engineer is sure of when he works with the famous Eastman family of motion-picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

63. NO. 94 NEW YORK, U.S.A., FRIDAY, MAY 14, 1948 TEN CENTS

Outright Sale Of American Films in Italy

Distributors By-pass Remittance Ruling

By ARGEO SANTUCCI

ROME, May 11 (By Airmail).—Under the stimulus of Italian import restrictions and the freezing of lira earnings in this country, American companies, both major and independent, are selling some pictures outright to Italian distributors on condition that dollar payment is made available in the United States.

Foreign departments of distributors in New York would not officially confirm or deny that rights to their pictures were sold outright to Italian distributors and a spokesman for the Motion Picture Association of America said, "We have absolutely no information on it." An executive of one company, however, admitted the

(*Continued on page 2*)

Myers Sees Court Action in 6 Months

KANSAS CITY, May 13.—Dissolution of theatre pools is already a fact, joint ownerships are being dissolved and, except for long court vacations, final steps in the Government's anti-trust suit against the majors may be expected in six months, Abram F. Myers, Allied States Association chairman and general counsel, declared here today. He spoke at the closing session of the Allied Independent Theatre Owners of Kansas and Missouri convention.

Myers also said that in view of the

(*Continued on page 3*)

Reagan Presiding at Para. Meeting Here

First of five Paramount divisional sales meetings, set to climax the current season and prepare the groundwork for 1948-49 product and policies, got under way here yesterday at the Hotel Astor, under direction of Charles M. Reagan, distribution vice-president.

The meeting, which will run

(*Continued on page 3*)

Better Future For US Films Abroad: MPAA

The world economic situation as viewed by the American film companies has improved considerably in the last six months, and the general global picture in terms of remittances, quotas and import duties promises better days ahead. This expression of confidence and encouragement came yesterday from a top Motion Picture Association of America executive in New York.

"All the old problems which the MPAA had to face are being worked on," and are being solved at a satisfactory rate, the MPAA executive explained, adding that no additional problems have arisen in the last six months to effect further drain on the association's energies. Reluctant to say that the future looks "bright"

(*Continued on page 2*)

New DuMont Video Recording Method

DuMont Laboratories' new system of transcribing television shows on film was demonstrated here last night at the Park Lane Hotel. Called teletranscription, the system is now available to television stations throughout the U. S., company officials declared.

The system is very similar to that

(*Continued on page 2*)

Year's Extension of Trade Pact Advanced

Washington, May 13.—The House Republican policy committee has agreed on a one-year extension from June 12 of the Reciprocal Trade Agreements Act, with a substantial amount of power to make new agreements taken from the President and State Department and given to the Tariff Commission and Congress. Industry leaders supported a three-year extension "without strings."

Para. Quarter Profit Down

Paramount earnings for the first 1948 quarter, ended April 3, are estimated by the company at $7,760,000, after all charges. This compares with $9,522,000 for the similar period in 1947. The 1948 profit includes $1,846,000, representing Paramount's interest as a stockholder in the combined undistributed earnings of partially-owned subsidiaries and about $650,000 of non-recurring income.

Since the beginning of fiscal 1948, the company has excluded earnings of all subsidiaries operating outside the U. S. and Canada, except for dividends.

Paramount yesterday declared a regular quarterly dividend of 50 cents per share, payable June 25 to stockholders of record on June 4.

Rebel At Excluding US From UK's Film Council

LONDON, May 13.—British Board of Trade president Harold Wilson is said to be planning to exclude American distributor representation from the new Cinematograph Films Council, and the report has caused a storm of indignation among all distributors here. It is said Wilson will appoint Sir Arthur Jarratt to replace Columbia's J. Friedman as a Kinematograph Renters Society representative on the Council along with Reginald P. Baker, incumbent.

Friedman has been one of the two KRS members of the Council for the past six years. KRS, which takes pride in having a "non-national" policy in representing British distribution interests as a whole despite the circumstance that 80 per cent of its

(*Continued on page 2*)

Clark, Raibourn on New Advisory Unit

Washington, May 13.—Kenneth Clark will represent the Motion Picture Association of America and Paul Raibourn the Television Broadcasters Association on a 14-man Press Advisory Council to assist Secretary of Defense Forrestal on news and information problems. The Council, which includes representatives of other media, will meet with Forrestal here on May 26. It opposes peacetime censorship.

Federal Court Confirms Flat Rental Damage

Decision in Lieberman Case Called a Precedent

BOSTON, May 13. — Flat rental damages resulting from a distributor's reliance on returns from prior percentage pictures were confirmed as an additional element of recoverable damage in suits based on falsified percentage returns, by U. S. District Court Judge Sweeney in an opinion filed here in Federal Court, in the action brought by Loew's against Fred E. Lieberman and various corporation affiliates. Judge Sweeney's decision sets a precedent, according to industry attorneys.

A claim for flat rental damages in addition to percentage rental damages is involved in practically all of the percentage lawsuits now pending throughout the country as filed by distributors against theatres, ac-

(*Continued on page 3*)

Confer Monday on Salesmen's Election

A "full dress" conference of representatives of all principals involved in the forthcoming elections among the country's 1,000-odd film salesmen will be held here on Monday before National Labor Relations Board officer Arthur Younger. On April 30 the

(*Continued on page 3*)

RKO Move to Dismiss Dmytryk Suit Denied

Los Angeles, May 13.—A motion by RKO Radio for dismissal of the suit brought by director Edward Dmytryk following his discharge as a result of the Un-American Activities Committee hearings was rejected today by Federal judge Leon Yankwich. The jurist, after ruling out Dmytryk's claim for $750,000 for alleged "humiliation and loss of prestige," held that the claim for $1,133,425, which Dmytryk said would have been paid him under the remainder of his contract, must be tried.

Personal Mention

CHARLES P. SKOURAS, National Theatres president, returned to Los Angeles yesterday from New York.

•

FRED H. HOTCHKISS, Westrex European regional manager; EDWARD G. WAGNER, Westrex comptroller; RONALD COLMAN and his wife, and SOPHIE TUCKER will sail today for Europe on the *SS Queen Elizabeth.*

•

HOWARD J. LONDON, National Foundation for Infantile Paralysis director of motion pictures and radio, will leave here today for Los Angeles to attend the National Association of Broadcasters convention.

•

RICHARD DE ROCHEMONT, "March of Time" producer, will speak on films in advertising at the Advertising Women of New York luncheon here on Tuesday.

•

BEN KALMENSON, Warner sales head, and BERNARD GOODMAN, supervisor of exchanges, will return to New York today from Boston.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, will leave here by plane over the weekend for Nashville.

•

HAROLD WENGLER, Altec advertising manager, will be in Bethlehem, Pa., today and tomorrow from New York.

•

JACK EPSTEIN of the Epstein circuit, Omaha, has been elected president of the Southwestern B'nai B'rith.

•

MICHAEL HAVAS, RKO Radio Latin American supervisor, left here yesterday for Buenos Aires.

S. M. P. E. to Feature New Film Equipment

SANTA MONICA, Cal., May 13.—A new 35mm. projector, first developed by the Motion Picture Research Council and then turned over to Mitchell Camera for production, will be described at the Society of Motion Picture Engineers' five-day convention which opens here on Monday.

Other motion picture projects to be discussed include a magnetic device for cueing film, an improved 35mm. synchronous counter, a time interval marking device for cameras, an optical reduction sound printer, 16mm. film phonograph, new location trucks, soundproofing generators, a 35mm. sound-on-film recorder, and other items.

71 Papers at SMPE Meet

SANTA MONICA, Cal., May 13.—A record number of 71 papers will be delivered at the 63rd convention of the Society of Motion Picture Engineers here May 17-21 to some 1,500 from the motion picture industry, film and sound equipment manufacturers, scientific foundations and laboratories. Nine sessions originally planned have been expanded to 11.

Argue New Trial for Trumbo on May 21

WASHINGTON, May 13.—Argument on a motion for a new trial for screen writer Dalton Trumbo, convicted on charges of contempt of Congress, has been set for May 21, on the same day that argument will be heard on a similar motion for screen writer John Howard Lawson. If, as is likely, both new trial motions are turned down, both writers may be sentenced on the same day.

Stipulations on the records to be submitted in the trial of the other eight contempt defendants, on whom verdicts will be withheld pending appeals in the Lawson and Trumbo cases, will probably be made here next week, a defense attorney said.

Better Future Abroad

(*Continued from page* 1)

specifically for the industry's foreign operations, he said it will suffice to predict that the days ahead will be considerably better than they were in the recent past.

Confirming MOTION PICTURE DAILY's report of last Tuesday that the MPAA has entered into a foreign remittances pact with World Commerce Corp., the association spokesman admitted that similar so-called "compensation deals" have been concluded with other international trading organizations, including the International Trade Associates which, like the WCC, has offices in principal cities of the world.

The deals, reportedly conceived by Gerald M. Mayer, managing director of MPAA's international division, are designed to secure release of blocked U. S. film earnings in countries like France and Italy. Under the plan, WCC and the others agreee to increase the country's foreign export business by allotting dollars for the purpose on the provision that the foreign country release an equal amount of blocked American film earnings. Part of WCC's profit under the arrangement will come in the form of "commissions" from U. S. companies, through the MPAA. The plan has not yet produced remittances.

Aviation companies, it was said, are taking blocked funds in payment for transportation, and therefore industry executives who fly to and from Europe are assisting in unblocking funds.

UK Film Council

(*Continued from page* 1)

membership is American, has always had the understanding that one American and one Englishman would represent it on the Council.

In a secret debate in Parliament on the issue, Wilson was severely criticized for the intended "slap in the face" for the Americans, and it was pointed out to him that his stand on the appointment would be particularly unfortunate at this time when questions are due to arise on interpretation of the Anglo-American tax agreement. Moreover, both Baker and Sir Arthur now have production interests and hence their roles as distributor representatives on the Council would tend to make the whole situation even more absurd.

Outright Sale

(*Continued from page* 1)

practice had been common, but "you will not find any of our pictures among them now."

Almost all American companies in Rome are practicing outright sale. Particularly this is true of United Artists, which perhaps was the first, followed by Universal-International, RKO, M-G-M and others. Warner reportedly is the only exception.

Old and Recent Films Sold

Films already sold include "It's a Wonderful Life," "The Best Years of Our Lives," "Scarface," "Ball of Fire," "Atlantis," "Daniel Boone," "Monsieur Verdoux," "The Eagle," starring Rudolph Valentino, "Body and Soul," "The Secret Life of Walter Mitty," "Captain from Castile," "Thunder Birds," "Crash Dive," "Belle Starr," "Springtime in the Rockies," "Coney Island" and others, including a lot of "B" productions.

Terms of outright sales are generally with quotations covering only net royalties and providing that all further expenses are to be paid by the Italian distributor. Payment in dollars is made available in the U. S. Usually 20 per cent of the price is paid when the deal is signed and the rest at the time of delivery of a master negative. Quotations vary from a minimum of $1,000 to a maximum of $200,000. "It's a Wonderful Life," for instance, sold for $35,000.

Average Sale $5,000 to $10,000

"Best Years" sold for $110,000 together with four lesser pictures. "Gone With the Wind" is offered by M-G-M at $200,000. This price includes 12 prints free. Most productions are offered at from $5,000 to $10,000.

Italian agencies of the American companies reportedly protested the outright sale practice to their home offices and it has been reported that the companies decided to credit their Italian branches with 15 per cent of the amounts which the former receive from the sale of their films to Italian independents.

DuMont Video

(*Continued from page* 1)

recently demonstrated by Paramount, although, it was pointed out, Paramount's method is primarily concerned with theatre video, whereas tele-transcription is designed only for television stations. The method consists in placing a camera at the face of the cathode-ray tube and filming the program as it comes over. The film can be developed in approximately one minute, if speed is a factor, it was said.

DuMont spokesmen declared the method is immediately available. Although no price rates have been set, it would cost approximately $600 to $700 for a half-hour transcription, officials said.

DuMont Plant Purchase Approved

WASHINGTON, May 13.—Sale of the Wright Aeronautical Corp. plant at East Paterson, N. J., to Allen B. DuMont Laboratories, for $1,700,000 was approved here today by the War Assets Administration.

U-I Plans 'Four-Wall' Deals for 'Hamlet'

Universal-International will exhibit J. Arthur Rank's "Hamlet" in New York and possibly Boston in August via "four-wall" or theatre-leasing deals which would permit the distributor to charge advanced admission prices without violating the price-fixing injunction of the Supreme Court decision. Announcement that U-I is expediting American release of the film was made here yesterday by Willi[illegible] A. Scully, U-I general sales mana[illegible]

Promotional plans are being mapped by John Joseph, U-I national advertising-publicity director; Maurice A. Bergman, Eastern advertising-publicity head, and Jock Lawrence, vice-president of the J. Arthur Rank Organization in America. In addition, a special field staff under the supervision of Jefferson Livingston of U-I's home office, is being set up.

Anthony Zito, 46

Anthony Zito, 46, president of the De Angelis Outdoor Advertising Co., which handles outdoor billings for a number of distributors and circuits here, died at his home in Crestwood yesterday after an illness of several weeks. Funeral services will be held Monday morning at the Roman Catholic Church of the Annunciation in Crestwood, with interment in Gate of Heaven Cemetery, Westchester. Remains are at the Walter B. Cooke Funeral Home, Bronx. Surviving are the widow, Jessie, and a brother, Jack.

Harley L. Tracy

CLEVELAND, May 13.—Funeral services were held today in Willard, Ohio, for Harley L. Tracy, veteran owner of the Temple Theatre in Willard, who was about 60. He died Wednesday after a long illness. The widow survives.

NEW YORK THEATRES

—RADIO CITY MUSIC HALL—
Rockefeller Center
Spencer TRACY Katharine HEPBURN Van JOHNSON
Angela LANSBURY Adolphe MENJOU Lewis STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS.
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

DANA ANDREWS • GENE TIERNEY
"THE IRON CURTAIN"
A 20th Century-Fox Picture
PLUS ON STAGE
ED SULLIVAN
his DAWN PATROL REVUE
ROXY 7th Ave. & 50th St.

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5,000 'U' Warrants Given to Cowdin

WASHINGTON, May 13.—Universal Pictures board chairman J. Cheever Cowdin received stock warrants for 5,000 shares of common as compensation, according to a Securities and Exchange Commission report on trading by company officers and board members.

The report, theoretically for the month ending March 10, showed very few film company transactions. It revealed that Cowdin gave away warrants for 2,375 shares of Universal common and sold warrants for 50.

At the end of 1947, Cowdin held warrants for 91,538 shares, Cheever Corp. held warrants for 1,084 shares, and Whitehall Securities Co. warrants for 3,578. Cowdin held 11,637 shares outright, Cheever Corp. 577 shares and Whitehall 1,413.

At Columbia, Jack Cohn gave 1,000 shares of common to the Artists Foundation on Feb. 26, leaving his holdings at 47,969 shares. His trusts sold 200 shares, dropping their holdings to 24,119. Loew's Louis K. Sidney had 500 shares of the company's stock.

Reagan Presiding

(*Continued from page* 1)

through tomorrow, is being attended by the following: From New York, Reagan, Hugh Owen, Al Kane, Ted O'Shea, E. W. Sweigert, Al Schwalberg, Jack Roper, F. A. Leroy, J. A. Philipson, Al Deane, Oscar Morgan, C. J. Scollard, Stanley Shuford, Sid Mesibov, Ben Washer, Marty Freedman, Monroe Goodman, Sam Boverman, Clay Hake, Adolph Zukor, Paul Raibourn, Henry Randel, Myron Sattler, Edward Bell, Phil Isaac, Nathan Stern, Jack Perley and Gene Newman.

From New Orleans, Gordon Bradley, Edgar Shinn, H. S. Wyckoff, F. A. Hotard; Atlanta, Clyde Goodson, Bill Holliday, Ed Fitzgerald, Bill Word, B. W. Smith, Frank Folger, Leonard Allen; Boston, John Moore, Ed Maloney, John Gubbins, H. O. Lewis, Ed Bradley, John Kane, Arnold Van Leer; Charlotte, Henry Haas, Ed Chumley, P. H. Cockrill, Ed DeBerry, Lawrence Terrell, Everett Olsen; Jacksonville, Al Duren, Fred Mathis, Bob Stevens; New Haven, Henry Germaine, John W. Brown, Richard Carroll; Albany, Ed Ruff, James Moore, Peter Holman, Ed Wall; Buffalo, M. A. Brown, Maurice Simon, John Good, Richard Carroll; Canada, Gordon Lightstone, Win Barron.

'Citizen Saint' Premiere

New York premiere of "Citizen Saint," dramatization of the life of Mother Cabrini, will be held Thursday at the Bijou Theatre, it is announced by Clyde Elliott, producer.

OF COURSE
you'll make money with...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Review

"Four Faces West"

(Enterprise-UA)

WITHIN the framework of the Western, "Four Faces West" turns loose a mature and intriguing manhunt. It is to the conspicuous merit of this Enterprise production that the story remains consistently fresh, never once falling back upon such time-honored stereotypes as aimless gunplay and fisticuffs. Events throughout are believable and the characters are real individuals rather than types. As merchandise, the film is made all the more secure for the exhibitor by the imposing cast headed by Joel McCrea, Frances Dee, Charles Bickford and Joseph Calleia.

The intense screenplay, based on a semi-autographical novel by Eugene Manlove Rhodes, begins with McCrea entering a New Mexican town and robbing its bank. Thereafter he becomes a hunted man with countless fears and frustrations lying in wait. In the course of his retreat, he gets bitten by a rattlesnake, is given first aid by Miss Dee, with a romance thus having its reluctant beginning. Others who figure in McCrea's flight are Calleia, a mysterious figure who at first seems hostile, but eventually befriends McCrea.

Some splendid outdoor photography highlights the screenplay by Graham Baker and Teddi Sherman. After passing through a series of adventures, McCrea seems reasonably out of reach of Bickford, the pursuing marshal, when he stops in his flight to rescue a Mexican family from death by diphtheria. Bickford thus catches up with him, but instead of bringing him in a vanquished prisoner, he talks McCrea into surrendering voluntarily, with the sure promise that justice would be tempered by the extenuating circumstances. Produced by Harry Sherman and directed by Alfred E. Green, it is high entertaining fare for all.

Running time, 90 minutes. General audience classification. Release date, May 15.

MANDEL HERBSTMAN

Flat Rental Damages

(*Continued from page* 1)

cording to a distributor spokesman.

Judge Sweeney's opinion confirmed the findings of Special Master Phillip A. Hendrick, filed Feb. 17, in which he found that Loew's should be granted judgment against the defendants for $26,875, in its action and Paramount a judgment for $1,725 in its suit. Amount awarded to Loew's included $13,600 for damages sustained on the flat rental pictures, the remainder covering damages for rentals withheld on percentage pictures. The Paramount award covered only percentage rental damage.

Cross-motions by the defendants to have the actions recommitted to the master were denied by Judge Sweeney.

Theatres involved were the Tremont, Normandy and Bijou in Boston, the Square in Medford, and the Uphams Corner in Dorchester.

Distributor motions to confirm and the exhibitor motions to recommit were argued before Judge Sweeney on April 28. Robert W. Meserve of the Boston law firm of Nutter, McClennon and Fish, and Edward A. Sargoy of the New York law firm of Sargoy and Stein, appeared for the distributors, and Joseph B. Abrams of Boston argued for the defendants.

Myers Sees

(*Continued from page* 1)

court's cognizance of past delays, the defendants were not likely to seek means for postponements. One factor probably working against delays, he suggested, is the possibility of interim relief which the defendants might find undesirable.

The future of motion picture exhibition is now in the hands of independent exhibitors, he said.

A buying and book service available to Allied members at a cost of $10 a week was set up by the convention. In answer to a query whether the recent Supreme Court decision might obstruct or prevent such services, Myers replied that there was nothing in the cases involving any of the Allied buying and booking groups and that he did not think buying cooperatives were unlawful *per se*.

William Ainsworth, Allied president, who also addressed today's meeting, and Myers left tonight for Denver for a national board meeting there Saturday through Monday. They will also attend the Allied Rocky Mountain Independent Theatres convention in Denver on Tuesday and Wednesday.

Ascap Talks Await Greenberg's Return

Further talks between Ascap and representatives of film-stage show houses in an effort to settle the dispute over the new scale of music taxes, await the return of Herman Greenberg, the society's general sales manager, from a Coast trip. Greenberg is expected back in New York during the week of May 24. Combination houses are opposed to a 500 per cent increase in the seat tax requested by Ascap.

700 To Vote on W.B. Union Shop May 27

Over 700 Warner home office employes will vote on May 27 to determine whether the present union shop shall prevail, it was decided yesterday at a conference between Warner and IATSE employes local No. H-63 representatives at the National Labor Relations Board office there.

The so-called "union security election" is provided for under the terms of the Taft-Hartley law when a new contract is about to be negotiated. The contract expires on May 31.

Salesmen's Election

(*Continued from page* 1)

NLRB in Washington ordered separate company-wide elections by secret ballot within 30 days to determine whether or not the salesmen desire to be represented by the Colosseum of Motion Picture Salesmen of America for collective bargaining purposes.

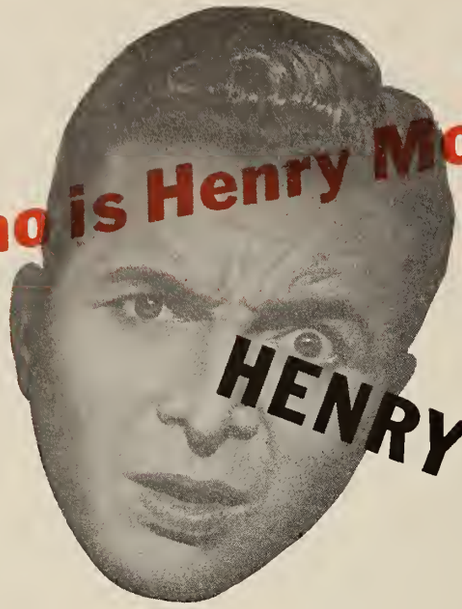
Monday's meeting is expected to set election machinery in motion. Younger will brief the company and Colosseum representatives on election rules. Companies to be represented are Paramount, Loew's, RKO, Republic, 20th Century-Fox, Universal, Warners, Columbia, Eagle-Lion, United Artists, Monogram and National Screen.

Colosseum attorney David Beznor of Milwaukee will attend, as will Howard Lichtenstein counsel for most of the companies, and Frank Greenberg, National Screen attorney.

Goldwyn Extends RKO Deal a Year

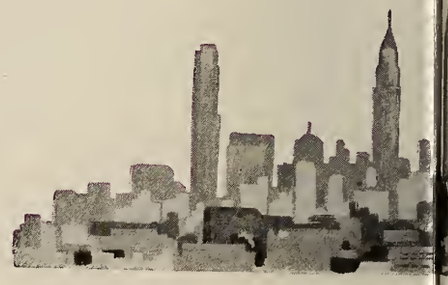
Samuel Goldwyn Productions has picked up its option to extend its releasing deal with RKO for another year, beginning July 1. RKO will handle the Goldwyn product on the same basis as at present, according to James Mulvey, president of Goldwyn Productions.

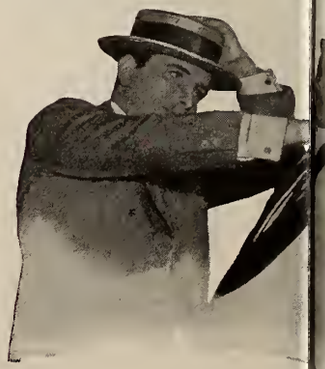
Twice as terrific as "T-Men"... the Edward Small production of "RAW DEAL," is ready for release by Eagle Lion!



Who is Henry Morgan?

HENRY MORGAN is the something new





He's the guy **LIBERTY** says is "a fire ball performer to fit American humor and satire!" *and* **TIME** says is "the freshest and funniest in years" *and* **LIFE** says is "radio's freshest new funnyman!" *and* **LOOK** says "will lead the field in popularity" *and* the **N.Y. TIMES** says is "an oracle of laughter!" *and* **LIFE** says (again) is "the funniest fellow on the air!"

...And This is "Gerard"!

that has been added to motion pictures!

The ENTERPRISE STUDIOS present

HENRY MORGAN in

"SO THIS IS NEW YORK"

with Rudy Vallee · Hugh Herbert · Bill Goodwin

Virginia Grey · Dona Drake · Jerome Cowan · Leo Gorcey · Arnold Stang

Screenplay by Carl Foreman and Herbert Baker · Based on the novel "THE BIG TOWN" by RING LARDNER

Directed by Richard O. Fleischer · Produced by Stanley Kramer

A Screen Plays, Inc. Production

Something new... something **BIG** from **UA**

FROM COAST-TO-COAST "THE IRON CURTAIN" IS FRONT PAGE NEWS!

Daily Mirror, Thursday, May 13, 1948

Film Fans Flock To "Iron Curtain"

"THE IRON CURTAIN" IS BOXOFFICE NEWS!

THE Film DAILY

Thursday, May 13, 1948

One of the longest lines in months at the Roxy, N. Y.! Predominance of family groups was noted in morning and afternoon audiences. Showings punctuated by applause!

AND THE STORY IS THE SAME IN–

Milwaukee, Portland, Seattle, Cleveland, Richmond, Indianapolis, Cincinnati, Kansas City, Denver, Rochester, Syracuse

"THE IRON CURTAIN" IS THE MOST EAGERLY SOUGHT PICTURE IN THE LAND!

20th CENTURY-FOX

FILE COPY
DO NOT REMOVE

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

63. NO. 95 NEW YORK, U.S.A., MONDAY, MAY 17, 1948 TEN CENTS

Studio Labor Talks Reach Impasse Stage

Producers' Counter-Offer Refused; Call on Walsh

HOLLYWOOD, May 16.—A deadlock in new contract negotiations between IATSE studio locals and the producers loomed at the weekend with the flat rejection by the unions of the Association of Motion Picture Producers' counter proposal to continue the current 11.17 per cent cost-of-living payments to studio employes until Aug. 10, 1949.

Testifying to the probability of a deadlock was the post-rejection statement by 'IA' international representative Roy Brewer that 'IA' international president Richard F. Walsh, now in New York, will be asked to enter into the negotiations with the producers. (Queried in New York on Brewer's statement, Walsh said it was too soon for him to comment on the situation.—Ed.)

The studio locals are demanding, in addition to the incorporation of the

(*Continued on page* 4)

Allied States Board Convenes in Denver

DENVER, May 16. — Allied States' board of directors is meeting here in advance of the convention of Allied Rocky Mountain Independent Theatres Tuesday and Wednesday. Independent exhibitors not Allied members are invited to attend the convention. Both meetings are at the Cosmopolitan Hotel.

Abram F. Myers, William Ainsworth, Sidney Samuelson, Trueman

(*Continued on page* 4)

SMPE Meet Opens Today on Coast

SANTA MONICA, Cal., May 16.—W. W. Watts, vice-president in charge of RCA's engineering products department, will discuss television and the motion picture industry as the principal speaker at the opening luncheon tomorrow of the Society of Motion Picture Engineers' 63rd semi-annual

(*Continued on page* 3)

Court Refuses to Change Two-Week Limit on Loop Runs

CHICAGO, May 16.—Federal Judge Michael Igoe on Friday firmly upheld in U. S. District Court here the two-week limit on Loop runs for defendant theatres imposed by the Jackson Park decree and dismissed the motion made by Ed Johnson, attorney for Paramount and Balaban and Katz, which asked to modify that part of the decree.

Johnson told the court that B. and K. cannot continue to operate under the present system, because distributors, except Paramount, refuse to license top product to their houses, selling the "cream" pictures to the Essaness Woods and Oriental, and the Monroe, all non-defendants.

Judge Igoe repeated what he had said during the recent contempt hearings: that if the defendants had consulted him on the decree, the whole situation might be different now. He

(*Continued on page* 4)

Berger, Kane Alter Views on Decision

MINNEAPOLIS, May 16.—A "first-flush" opinion of 10 days ago, expressing "great disappointment" over the nature of the U. S. Supreme Court decision in the Government's Paramount anti-trust case was changed here at the weekend by Ben Berger, president of North Central Allied, and Stanley Kane, NCA's executive secretary.

Berger declared that later information "now indicates clearly that the 'Big Five' has been ordered to get out of the theatre business," adding that a

(*Continued on page* 4)

Film Dividends Still On Downward Trend

WASHINGTON, May 16. — Publicly-reported cash dividends of motion picture companies in April were sharply below April, 1947 figures, accentuating the trend of earlier months this year, according to the Commerce Department, which listed April 1948 disbursements of $3,941,000, against $5,469,000 in April last year. The Department said that the drop was due chiefly to the fact that RKO halved its April, 1947, dividend, while the Stanley Corp (Warner affiliate),

(*Continued on page* 4)

U. S. STUDY OF BIG CIRCUITS PLANNED

House Passage of Trade Act Due

Washington, May 16. — The bill calling for a one-year extension of the Reciprocal Trade Agreements Act, with substantial power over new agreements given to the Tariff Commission and Congress, is slated to pass the House late this week. It will then move to an uncertain fate in the Senate.

Restrictions Hurt Independents: Levey

Owing primarily to monetary restrictions and the fact that every country there faces different problems, conditions are not favorable for the independent producer in Europe, Jules Levey, recently back from a seven-month survey of England and the Continent, said here on Friday.

The independent producer branded as a fallacy the belief that American producers can make pictures more cheaply in England. He said his observation made him conclude that production costs in Great Britain are as high as in Hollywood.

Levey reported the film industry is picking up in Europe, especially in Italy, where he found many new theatres in construction. He foresees Italy becoming the chief competitor in production in Europe, England included.

During his visit, Levey closed release deals on his product in France, Italy, Holland, Belgium, Czechoslovakia and several of the "iron curtain" countries. The producer plans to leave for the Coast in a week.

Mono. to Distribute Two British Films

HOLLYWOOD, May 16.—Completion of negotiations with Pathe Pictures, Ltd., for Monogram distribution of two pictures made by the former in London was announced here at the weekend by Steve Broidy, Monogram president. The films involved are "My Brother Jonathan," which will be released in October, and "Temptation Harbor," to be released in November.

Monopolistic Evidences To Be Sought in Large Independent Operations

WASHINGTON, May 16. — The Department of Justice plans to inaugurate a study of large independent circuit operations in key areas around the country with a view to introducing divestiture proceedings in the event monopolistic practices condemned by the Supreme Court in its recent Paramount, Schine and Griffith opinions are found, it is learned.

A Justice Department spokesman said that for the next 60 days at least the Department will have its hands so full that it will be unable to undertake any new proceedings. He indicated that as soon as current pressure on the Department eases, the study of regional independent circuits' background and operations will be begun.

The Department was given an increased appropriation by Congress

(*Continued on page* 4)

U. S. Asks Schine Case Clarification

WASHINGTON, May 16.—The Justice Department has asked the Supreme Court to clarify its Schine case decision and say whether or not a trustee should be appointed to dispose of five of 16 Schine theatres still unsold under the May 19, 1942, consent order.

In a brief filed with the court on Friday, the Government said the questions involved in enforcing the consent

(*Continued on page* 4)

Defendants Weigh Bid for Rehearing

Defense attorneys in the Government anti-trust suit are seriously considering the filing of a petition for a Supreme Court rehearing of several phases of the case. Defendants have until May 28 to ask for a rehearing.

Observers say the chances of a rehearing being granted, if asked, are exceedingly slim in view of the court's almost unanimous opinion in the case.

Personal Mention

H. A. COLE of Texas Allied suffered a broken arm in Kansas City last week.

•

EDANA ROMNEY, British writer-producer-director, who arrived here last week, will be entertained by Universal-International and J. Arthur Rank Organization at a reception Wednesday at Hampshire House.

•

SAMUEL N. BURGER, Loew's International sales manager, and DAVID LEWIS, regional director of Continental Europe, North Africa and the Middle East, returned here from Paris at the weekend.

•

EDWIN KNOPF, M-G-M producer; HOWARD STRICKLING, studio publicity chief, and SPENCER TRACY are due here tomorrow en route to England. They will sail on the *SS Queen Mary* on Friday.

•

DAVID A. LIPTON, Universal-International studio coordinator of advertising-promotion, and FRANK ROSENBERG, producer, are due here today from the Coast.

•

JERRY MASON, associate editor of *This Week*, and LOUIS BERG, entertainment editor, left here over the weekend for Hollywood.

•

JEANNE CAGNEY is due back in town today from Rutgers University where she was "queen of the military ball" at the weekend.

•

C. J. FELDMAN, Universal-International Western division sales chief, returned here over the weekend from the Coast.

•

GEORGE MARGOLIN, president of Continental Motion Pictures Corp., will leave here Saturday for France and Italy.

•

NICK MAMULA, Selznick Releasing Organization publicist, has returned to New York from Boston.

•

WILLIAM GELL, U. S. producers' representative in the U.K., is in town from London.

•

LUANNA PATTEN, nine-year-old Disney star, is in town from the Coast.

Johnston To Talk in N. Y. and in Portland

WASHINGTON, May 16.—Motion Picture Association of America president Eric Johnston is scheduled to be back here tomorrow after a week's absence on the West Coast.

He will be in New York on Wednesday, Thursday, and possibly Friday for meetings of the Committee for Economic Development and the Family Life Conference and on MPAA business. He will then return here briefly and early next week will leave for Portland to address a meeting of the General Federation of Women's Clubs.

Insider's Outlook

By RED KANN

THE MPAA thinks it has solved the situation on advertising films by re-stating its position, which is:

"All films that run over 200 feet and that advertise commercial product other than motion pictures are affected. . . . Such films must be submitted to the Advertising Code Administration for approval. Once approved, these advertising subjects must comply with the following:

"'Upon the title . . . of each print . . . there shall appear at all times . . . an insignia containing the words, 'Advertising Code Certification MPAA, No. ——' and . . . in the center of the same frame in letters of the same style, weight, color and prominence of the main title and in size not less than one-quarter of the size of the letters of such main title, there shall appear the following words: 'This Is an Advertisement'."

That's fine when advertising subjects run over 200 feet. But when they run under, the regulation simply does not apply. At 90-feet a minute, standard projection speed for sound film, it puts fractionally better than two minutes of screentime beyond the MPAA pale.

Two minutes can be enough.

■ ■

Breath-taking yarn of the week was told by Paul Raibourn, television maestro for Paramount, to an examiner of the Federal Communications Commission in Washington. Paramount originally invested $164,000 in DuMont, spent $3,000,00 to $4,000,000 more to develop it and today wants $10,000,000 for its time, energy and dollars. Allen B. DuMont offered $6,000,000, was turned down, calculated Paramount's selling price was not too far out of line.

■ ■

Bill Goldman, his first Philadelphia suit against the majors upheld by the Supreme Court, now will press his second covering December of '42 to December of '46 and worth $8,400,000 to him in damages. It cost Howard Hughes about the same amount to acquire control of Floyd Odlum's controlling stock in RKO.

Joe Skeptic observes: "Why didn't they turn over RKO to Goldman and call off the suit?"

■ ■

"What gives with the lira these days?" someone flipped at Sammy Cohen, who handles foreign publicity at UA.

"No problem there, but we've lots of yen on our hands," he replied seriously.

"Everybody has lots of yen at one time or another," was the return flip.

"Yes, but we're trying to get ours out of China," Sammy answered.

■ ■

Records come and go, but unchallenged—until proven to the contrary—is the phenomenal "Gone with the Wind." On its first time around, the Loew circuit gave Selznick International $3,900,000 for its end. This was on the deal calling for 75 per cent of the gross with a 10 per cent gross profit guaranteed the theatres at $1 admission.

■ ■

It was a good lunch Charlie Skouras, Harold Fitzgerald, Elmer Rhoden and Rick Ricketson were knocking off at "21" the other day. The National Theatres executives, who have the Supreme Court decision and theatre divestiture on their minds, were enjoying it.

"Last meal?", remarked a table-hopper to Ricketson. He just grinned.

■ ■

Universal walked out of the Capitol here with better than $300,000 film rental on "Naked City." In the eight weeks of its New York first-run, the attraction did a theatre gross of about $774,000.

Big for the house. Big for the distributor.

■ ■

Robert Reynolds in a Rome despatch to the New York *Daily News* reports Lucky Luciano, convicted trafficker in vice, stands ready to finance production now that Italian films are attracting attention on Broadway.

That's all we need.

■ ■

Answer to the effect of Academy awards on the box-office:

Business on "A Double Life" shot up 30 per cent after Ronald Colman was named best actor for his work in that attraction.

■ ■

Discount the reports, originating in Hollywood, that Dore Schary's contract with RKO gives him the right to quit if control of the company ever changed hands, which it did last week.

Newsreel Parade

WINSTON CHURCHILL, Secretary of State Marshall and Spyros Skouras figure prominently in current newsreels. Contents of current reels follow:

MOVIETONE NEWS, No. 39—World affairs: Winston Churchill, Britain's wartime Premier, addresses Congress of Europe in the Hague and appeals for world [illegible]. Washington: Secretary of State M[illegible] rejects parleys between the U. S. and [illegible]. Personalities in the News: Spyros Skouras receives a check for $10,000 from *Time* and *Life* publisher Henry R. Luce as a contribution for feeding hungry children of Europe and Asia. Lithuania ex-Premier Jonas Cernius found working in a New Jersey factory. Roxy Theatre Communistic demonstration against "The Iron Curtain."

NEWS OF THE DAY, No. 273—Congress of Europe hails plan for the union of three nations. Spectacular paratroop maneuvers. European fencing championships. Girl jockeys at Pimlico.

PARAMOUNT NEWS, No. 76—Churchill sees hope in unified Europe. Queen abdicates. Soviet-U. S. notes discussed by Marshall. French get first ship in aid plan. "Right-to-Work" law urged by Cecil B. DeMille. Palestine: Last films before end of mandate. Sky-full of silk: Army's largest peacetime chute.

UNIVERSAL NEWS, No. 143—Secretary of State Marshall denies U. S.-Red "peace talks." Churchill urges European union. Skouras gets $10,000 check to aid children of Europe and Asia. New water-repellent method for clothes. Motorcycle hill-climb. Eighty-second Airborne division in mass jump.

WARNER PATHE NEWS, No. 78—Baseball press conference. Congress of Europe. Governor Long of Louisiana. U.N. kids. Waterproofing. Para-troopers.

Obstacles Increase For MPEA Abroad

In a report on territorial activities to the Motion Picture Export Association board here at the weekend, Irving Maas, general manager, pointed out that distribution operations in "iron curtain" countries are facing additional obstacles.

Most recent move to throttle American films abroad, Maas said, has taken place in Hungary where the government is nationalizing the film industry. Local officials have refused to issue import licenses for American films and have imposed a virtual blackout on Hollywood product.

UK Pact Parleys Are Resumed by Allport

London, May 16.—Fayette W. Allport, chief of the Motion Picture Association of America's London office, has arrived here from New York to confer with British Board of Trade officer R. G. Somervell on control committee aspects of the Anglo-American *ad valorem* agreement. John G. McCarthy, associate manager of the MPAA's international division, is due to arrive here next Thursday to participate in the discussions.

Publication of the official agreement by the BOT is unlikely until after the discussions are completed, it is believed here.

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Industry Planning to Keep Hospital Going

The industry has plans to keep the Will Rogers Memorial Fund's Lake Saranac Hospital going through 1948, if sufficient funds are raised. After the year's end other plans for financing the hospital are expected to be made by an industry committee.

Major companies already have pledged themselves to raise a part of the total. Among other sources to contribute are the Motion Picture Associates, Variety Clubs International and the Actor's Fund of America, headed by Walter Vincent.

The industry committee in the fund-raising drive includes Gus Eyssell, Abe Montague, Barney Balaban, Stewart McDonald, John J. O'Connor, Spyros Skouras, Leslie Thompson, Leopold Friedman, Vincent, Hal Rodner, Dan Michalove, Edmund Grainger, J. Henry Walters, Lewen Pizor and Morton Thalheimer. Eyssell is chairman.

Schlaifer Advocates 'Precision Planning'

"Precision planning based on a scientific approach to motion picture publicity and advertising is the key to the successful public relations campaign" was the opinion expressed by Charles Schlaifer, 20th-Fox's advertising-publicity director, in a talk at the New School for Social Research on Friday night.

Schlaifer discussed the relationship of executives toward their industry, the importance of the trade press in highlighting intra-industry problems, the methods of campaign planning through advance study, research and approaches for various media and the industry's Advertising Code.

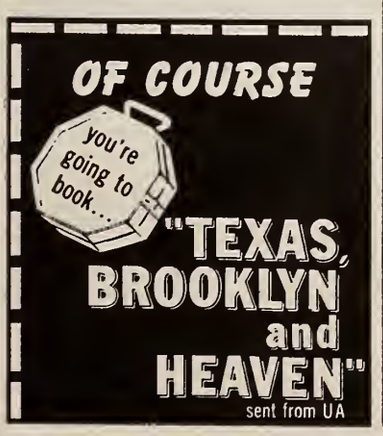
Services for Fuller, Former Pathe Head

Funeral services were held here on Friday for Paul Fuller, Jr., a member of the international law firm of Coudert Brothers, who died here on Wednesday. He was president of the old Pathe Exchange, Inc., some years ago.

During World War I he held several key Government posts. The widow, Mrs. Marie A. de Florez Fuller survives.

Scott Chestnutt, 68

BIRMINGHAM, May 16.—Scott E. Chesnutt, 68, film salesman for 20th Century-Fox, died at his home here last week after a lengthy illness. He was formerly with Paramount and Gaumont-British.



Charleston Theatres Ban 'Picture Hats'

Charleston, W. Va., May 16. — City authorities remind women here that they can be fined up to $10 for failure to doff their hats in theatres, an 1897 statute having been enacted when the picture-hat fashion among the ladies was in full swing.

Picket 'Curtain' Run In Loop; No Violence

CHICAGO, May 16.—Crowds formed in front of the Chicago Theatre following the opening of "The Iron Curtain" when hundreds of pickets marched in protest. The group represented the Chicago Committee Against War Propaganda, a Red-front organization. There was no rioting, however, and the boxoffice catered to heavy patronage.

Roxy Press Bureau Set Up For 'Iron Curtain' Run

Charles Schlaifer, director of advertising-publicity for 20th Century-Fox, has set up a publicity bureau at the Roxy Theatre, here, to make available to all news media information on the progress of the controversy over "The Iron Curtain" at that house. Bureau is being maintained on a 'round-the-clock basis.

Marks Is Named SRO Canadian Manager

Joseph Marks, until recently sales manager for Pathe in England, has been appointed sales manager of the Canadian division of Selznick Releasing Organization. He replaces Charles M. Weiner who will be given a special SRO sales assignment in the U. S.

Ted Tod to Midwest for SRO

Robert M. Gillham, Selznick Releasing Organization's Eastern advertising and publicity director, has assigned Ted Tod to handle special exploitation on all SRO releases in the Midwest, with headquarters in Chicago.

SMPE Meet Opens

(*Continued from page* 1)

convention. The convention, which originally planned only nine technical sessions and increased the number to 11, will be held at the Ambassador Hotel starting tomorrow and continuing through Friday. Loren L. Ryder, SMPE president, will preside. Among the record number of 71 papers to be featured at the sessions will be discussions of color photography, magnetic sound recording, television, sound recording, the functions, operations and accomplishments of the Motion Picture Research Council, theatre loud speakers, film flicker, theatre sites and audio-visual educational films.

$4,000 to Hospitals

HARTFORD, May 16.—St. Francis, Mt. Sinai and Hartford hospitals have received $4,000 from the charity world premiere of "The Fuller Brush Man," given here last Wednesday evening under arrangements made by Columbia, distributor of the film.

Sears to Coast to Close 5-Theatre Deal

Gradwell L. Sears, United Artists president, will leave New York today for Hollywood to make final arrangements for the sale of United Artists stock in the four Music Hall theatres in Los Angeles and the United Artists in San Francisco to Sol Lesser and Sherrill Corwin. Sale of the circuit, formerly a partnership between UA and Joseph Blumenfeld, was negotiated recently.

While on the Coast, Sears will meet with UA producers and will discuss new product deals with other independents.

Heiber in Montreal Wins Sales Award

George Heiber, Montreal branch manager for United Artists, will this week receive the Grad Sears gold cup trophy for outstanding sales achievement during the 1947-1948 drive. Edward M. Schnitzer, UA's Eastern and Canadian sales manager, will present the cup to Heiber at a luncheon on Wednesday. Charles S. Chaplin, UA Canadian division manager, and leading exhibitors of Canada will attend the luncheon.

Branches giving the closest competition to Montreal were: Chicago, Toronto and New Orleans.

Kalmenson Sets 14-Week Drive

Warner Brothers will conduct its annual sales drive for 14 weeks from May 23 to Aug. 28, according to Ben Kalmenson, distribution vice-president. Some $35,000 in cash will be awarded to the winners.

The company's Canadian exchanges will join U. S. branches. A series of regionals in connection with the drive will be conducted by the division sales managers, Roy Haines for the West, Jules Lapidus for the East and Canada, and Norman Ayres for the South.

H. M. Warner To Speak

WASHINGTON, May 16. — Warner Brothers president Harry M. Warner is scheduled to deliver an address here on May 24 before the National Council for Community Improvement on "What Motion Pictures Can Do for Communities."

Warner Books 'Arch'

"Arch of Triumph" has been booked across the entire Warner circuit for June and July.

Strotz Promoted to Top NBC Video Post

Sidney N. Strotz, NBC vice-president in charge of the West, has been appointed administrative vice-president in charge of television, by Niles Trammell, president, in a realignment following the resignation of Frank E. Mullen as executive vice-president and a member of the NBC board. Mullen will become associated with George A. Richards as president of stations WJR, Detroit; WGAR, Cleveland, and KMPC, Hollywood.

John H. MacDonald, administrative vice-president, will coordinate operations and financial activities of NBC, while Charles P. Hammond, vice-president and executive assistant to Mullen, was appointed assistant to the president. Noran E. Kersta, director of television, will be executive assistant to Strotz who, Trammell said, will continue to supervise Western division operations, dividing his time between New York and Hollywood.

Meet Here Tomorrow On Television Code

Representatives of television stations, film distributors and advertising agencies will meet at the Hotel Astor here tomorrow to organize a permanent organization to establish a code of ethics in the video industry and assertedly to function in a capacity somewhat like that of the Motion Picture Association of America.

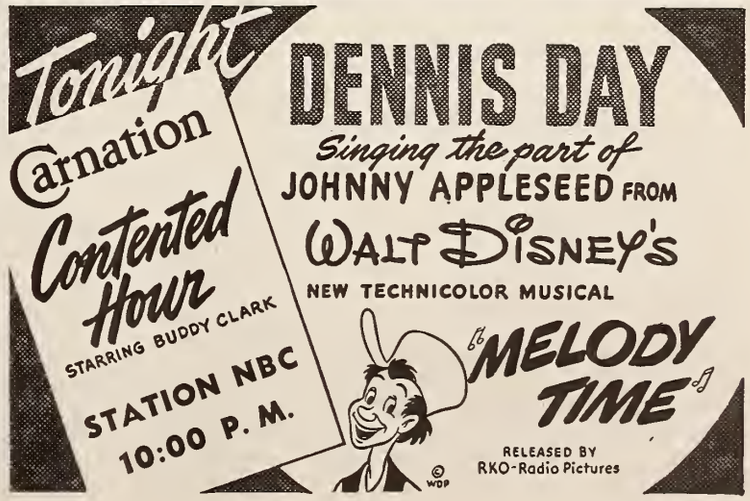
Two hundred invitations have been sent out by Melvin L. Gold, National Screen Service advertising director, who was named for the job at a recent meeting of the Television Institute.

Europe Filming Project

HOLLYWOOD, May 16.—Dudley Pictures cameraman Ed Olsen and Tommie Braatelien will begin filming in Europe next month for pictures slated for television release as part of Dudley's "This World of Ours" series. Carl Dudley, president, will join the pair in Paris on Sept. 1 to arrange for shooting in the Belgian Congo.

Dezel Franchise Deal

Albert Dezel Productions' national distribution setup has been completed with the exception of the Philadelphia territory, with the closing of a deal for release of Dezel product in the Pittsburgh exchange area by Max Shulgod of Crown Film Co., Albert Dezel announced here at the weekend.



U. S. Study

(Continued from page 1)

this year and much of the additional funds is earmarked for anti-trust activities.

Government sources express the view that with the Supreme Court having struck down monopolistic practices in the Paramount, Schine, Griffith and Crescent actions, and shown the way to circuit divestiture where such practices existed, the Justice Department should not permit the practices condemned to be perpetuated by non-defendants.

Would Watch New Combines

It was observed also that the Department should remain alert to the possibility, in the event large-scale divestiture materializes, of powerful new theatre combinations based on divested properties being formed to replace the old ones. The Justice Department should move promptly against such combinations in the event they are discerned, officials say.

Basis of the study by the Department of the large regional independent circuits is expected to follow closely the lines set forth in the Supreme Court opinions in the Schine and Griffith cases, primarily. Investigation of the origin and expansion of the circuits, circumstances surrounding theatre acquisitions, possession of monopolistic power, whether used or unused, whether closed situations were lumped with open ones in making film deals, as well as other practices specifically branded illegal by the high court, are believed part of the proposed study of independent circuits.

Buying-Booking Inquiry Unlikely

Inquiry revealed that the Department is not likely to extend its monopoly study to film buying and booking combines. It is clear that Department officials regard such combinations as minor violators, at most, and feel that the Government should concentrate upon bigger game. The inference is that where such combinations are in violation of the law as laid down by the Supreme Court, the obligation of bringing them to bar will have to be assumed by producers or distributors who feel they have a cause of action, or by exhibitors outside the combines who have been discriminated against or suffered from the competitive advantages obtained by members of the combine. The Government itself is unlikely for some time to come, at least, to assume the burden of prosecution for them, it is apparent.

Allied Board Meet

(Continued from page 1)

Rembusch, H. A. Cole and other Allied leaders will conduct the discussions. These will include Myers' report on the Government's case; legal problems affecting independent exhibitors; Ascap; 16mm. competition, and other matters. Convention meetings will be open forums.

Entertainment for the ladies will include a mountain sightseeing trip and luncheon; the convention banquet is scheduled for Wednesday evening.

Dismiss Shelvey Suit

Suit brought by Matt Shelvey and his associates for control of the American Guild of Variety Artists against the parent union Associated Actors and Artistes of America was dismissed here Friday by Supreme Court justice Dennis Cohalan. Dismissal was with prejudice.

Review

"I, Jane Doe"

(Republic)

SOME intensely dramatic moments are offered by Vera Ralston, focal figure in "I, Jane Doe." It is a conventional courtroom drama, slickly produced, with a cast which also includes Ruth Hussey, John Carroll and Gene Lockhart.

The story documents the tale of a young Frenchwoman who is on trial for the murder of her husband. Refusing to disclose her identity, Jane Doe's background slowly comes to light through a series of flashbacks. It develops that she had rescued her husband, a downed American flier, from the Nazis. Falling in love, she married him. Eventually she discovers that he was already married. To make matters worse he plots a series of treacherous acts against her.

One of the plot twists in the Lawrence Kimble screenplay has Jane Doe defended in court by the other wife of the deceased, Miss Hussey. Miss Hussey proves an able lawyer in the drama, with a verdict of acquittal brought in. Rounding out the cast are John Howard, Benay Venuta and Adele Mara. John H. Auer was associate producer-director.

Running time, 85 minutes. Adult audience classification. Release date, May 25.

MANDEL HERBSTMAN

Set Volk Injunction Hearings for May 24

MINNEAPOLIS, May 16.—Hearings have been set for May 24 in the district court here in the suit of the Volk Brothers, independent exhibitors, who seek an injunction against major distributors to halt proceedings in alleged fraud complaints. It is contended that the distributors' contracts are invalid because they fix admission prices in violation of the Sherman Act.

Hearings had been set for May 10, but counsel for the distributors asked for a postponement to study the U. S. Supreme Court decision in the Paramount case.

Schine Case

(Continued from page 1)

order, in which Schine agreed to sell 16 theatres, did not depend on the further divestiture proceedings ordered by the Supreme Court decision, and that enforcement of the consent order "should not await the entry of a final judgment as the further proceedings which must precede a final judgment are of uncertain duration. The appellants (Schine) agreed six years ago to do what the District Court was finally constrained to appoint a trustee to do. That agreement was made in consideration of a two-year continuance, and its enforcement should no longer be delayed."

The Department brief, signed by Solicitor General Philip B. Perlman, pointed out that the high court's opinion set aside the divestiture provisions of the decree pending findings by the District Court for an "appropriate decree," and had deferred consideration of the District Court's decision to appoint a trustee to sell the five theatres as "merely implementing" the divestiture provisions up for reconsideration.

The Government said that if the high court believes the trial court correctly decided that a trustee for sale should be appointed to enforce the consent order, the Government should have the right to move immediately for an order appointing a trustee. If the Supreme Court believes the lower court decision incorrect, the brief continued, "it is important that this court specify the error involved, as a guide" for the District Court.

Ill. UTO Meets June 2-3

LA SALLE, Ill., May 16. — Next meeting of United Theatre Owners of Illinois will be held at the Kaskasia Hotel here on June 3-4.

Loop Runs

(Continued from page 1)

further added, "it is crystal clear that the entire industry is going to comply with the law, and I am going to make sure the decree is sustained, unless a higher court modifies it."

Miles Seeley, attorney for RKO, filed a petition asking that the company be dismissed of contempt charges on the grounds that the RKO Palace and Grand theatres were not owned by RKO Pictures, but are two separate corporations. Main issue involving RKO was the clearance imposed on "Tycoon."

At the same time, Tom McConnell, the Jackson Park theatre attorney, today filed a petition to modify the decree to clarify certain ambiguities on clearance, price fixing, double featuring and extended runs in conformance with the recent Supreme Court decision in the Paramount case. The main change McConnell's petition asks is that Loop runs should be limited to two weeks regardless of whether or not a duplicate print is released to outlying theatres.

Hearings on the RKO motion and on McConnell's petition are scheduled for Friday, May 21.

Berger, Kane

(Continued from page 1)

deeper study of the 40-page decision "leaves no doubt in my mind but that the lower court has been ordered by the Supreme Court to make divorcement final and definite."

In reversing his first expression of disappointment, Kane now describes the Supreme Court decision as "a sweeping victory for the independents and the Government."

Kane predicts endless argument over the meaning and probable results of the decision, but adds, "the film monopoly stands convicted, and it must reform."

Kane had planned to re-study the old North Dakota theatre divorce statute, as reported by MOTION PICTURE DAILY on May 5, with the indicated intention of having a similar measure introduced in the Minnesota legislature. That procedure appears to be doubtful now.

Studio Labor

(Continued from page 1)

11.17 per cent payments into base rates as of Jan. 1 last, a 7.75 per cent increase as of the same date, it is understood. The increase sought, it is said, is based on the cost-of-living rise from Jan. 1, 1947, to Jan. 1, 1948, according to the Bureau of Labor Statistics.

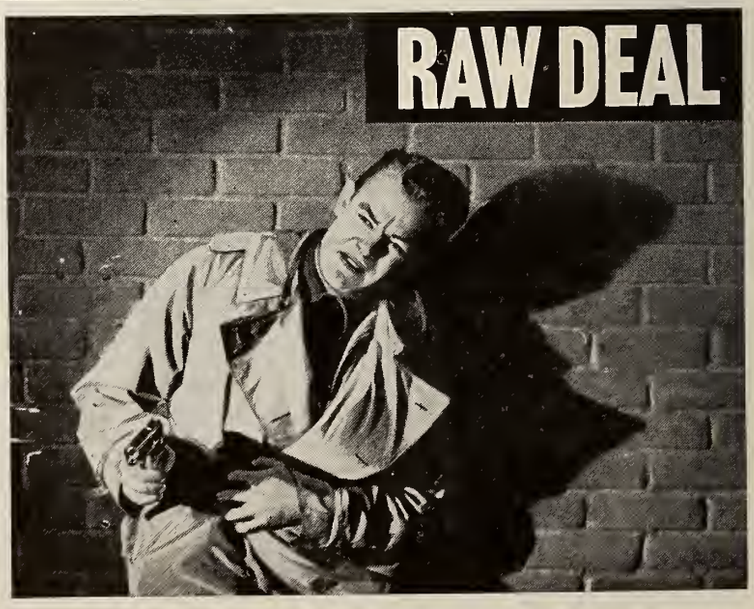
Additionally, the locals reportedly have stipulated that the new contracts must include a provision for increases every six months if there is a rise of five per cent or more in the cost-of-living. It is reported, too, that the locals are willing to take commensurate pay cuts if the cost-of-living drops, and have offered to include a provision for this in the new contracts.

Film Dividends Off

(Continued from page 1)

skipped its April dividend entirely.

Total publicly-reported cash film dividends for the first four months of 1948 was $15,696,000, against $18,221,000 in the same 1947 period. The Department figures that reported dividends represent about 60 per cent of all dividends.



Screen's smashing follow-up to "T-Men" is Edward Small's "RAW DEAL," with Dennis O'Keefe, Marsha Hunt and Claire Trevor. Made by that "T-Men" team, it's ready for record business from Eagle Lion!

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 96 — NEW YORK, U. S. A., TUESDAY, MAY 18, 1948 — TEN CENTS

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MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF
AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

Cut in ERP Film Funds Seen Likely

Budget-Trimming Bent Of House Group Cited

WASHINGTON, May 17.—It is likely that the House Appropriations Committee may not approve the full $15,000,000 authorized in the European Recovery Program for underwriting production and distribution costs of film and other information media during the first year of ERP.

This is the opinion of two top-ranking members of the deficiency sub-committee which is now holding hearings on appropriations for ERP. They declared this would not be due to any specific criticism of the film, book and magazine program, but rather to the group's consistent budget-trimming bent, even in the case of funds specifically authorized by law.

If the Appropriations Committee does trim the funds, a fight can be expected on the House floor and in the Senate to restore the full amount.

Figures submitted by all the dif-

(*Continued on page 7*)

Van Dyck to Remain Head of Colosseum

A. W. Van Dyck, 20th Century-Fox branch sales manager in Chicago, will continue as president of the Colosseum of Motion Picture Salesmen of America notwithstanding the National Labor Relations Board ruling that managers cannot be included in

(*Continued on page 4*)

Wilson Beale Gets State Dept. Film Job

Washington, May 17.—Wilson T. Beale, a specialist in relations with the British, will be the State Department's motion picture adviser during the long period that A. Horton Henry is overseas on a special Department project in the Near East.

Beale is now assistant chief of the Commercial Policy Division specializing in U. K. problems, and handled tariff negotiations with the British at the recent Geneva Trade Conference.

Rain Shrinks N. Y. Grosses

Rain hurt business considerably at the majority of Broadway first-runs yesterday and over the weekend. A few houses, however, are grossing better than average. The week's surprise performer is "Will It Happen Again?" at the Rialto, which expects to produce a phenomenal $30,000. House average is about $8,500.

"The Iron Curtain" got off to a healthy start at the Roxy, where an Ed Sullivan revue is on stage; $115,000 is seen for the first week on the basis of $90,000 grossed during the first five days.

Registering satisfactorily in its fourth and final week is "State of the Union," together with a Russell Markert stage presentation, at Radio City Music Hall, where $66,500 for four days is seen building up to $102,500. Also satisfactory in its fourth and final week is "The Big Clock,"

(*Continued on page 7*)

Television's Inroads Noted at SMPE Meet

SANTA MONICA, Cal., May 17.—Charging the film industry with short-sightedness in television, Paul Larson, associate director of the Los Alamos Atomic Research Laboratory and associate chairman of the Society of Motion Picture Engineer's television committee, today warned that "if the motion picture industry doesn't move fast, radio is going to take over television."

He said his committee had approached Eric Johnston, Motion Picture Association of America president, with a proposal that film companies apply for high frequency chan-

(*Continued on page 4*)

Allied Board Alerts Members on Decision

DENVER, May 17.—Allied States Association's board of directors declared itself in opposition to total or part ownership of theatres by film company employes in order to offset what it regards as possible advantages and discriminations in film deals. In a three-day meeting which ended here today the board alerted all Allied units to be on the lookout for actions or court decisions which might jeopardize the recent Supreme Court decision in the Paramount case.

Following a report by Trueman Rembusch on the prospects for television, the board voted to undertake further study before trying to arrange a meeting of theatre and television executives.

Selznick and Korda in Deal

David O. Selznick and Sir Alexander Korda have signed a contract to collaborate in the production of a series of films to be made in England with Hollywood and London talent.

The deal will in no way affect Korda's existing distribution deal with 20th Century-Fox under which he has six to deliver, with an option for six more.

Plans have already been agreed upon for the filming by Selznick-Korda of four during the next 12 months, of which two will be in Technicolor. Production of the first will start in September and others thereafter at intervals of two to three months.

The films will be produced and directed by independents associated with Korda at his Shepperton and Isleworth studios in England. Jennifer Jones and Gregory Peck are slated

(*Continued on page 7*)

Guild to Terminate Contract July 31

HOLLYWOOD, May 17.—Screen Actors Guild has served mail notice to all producers that its revised basic contract expires on July 31, and the Guild elects to terminate it at that time. The letter is notice in legal conformance with the labor-management relations act and follows the recent withdrawal by the Guild from contract negotiations with the majors, which the Guild attributed to the latter's unwillingness to negotiate on talent's participation in profits from reissues, television and other secondary exhibitions of films after their initial release. The letter's wording leaves the door open for resumption of negotiations.

Studios Are Opposing Raise, SDG Unit Says

HOLLYWOOD, May 17.—Studios are objecting to increases in wage minimums, the negotiating committee of the Screen Directors Guild told a membership meeting here last night. Counselling against hasty action on a new pact to replace the one which expired in March, the committee also reported that talks with the producers have not been broken off.

George Marshall was elected president of the SDG, succeeding George Stevens who served four terms. Joseph Mankiewicz was elected first vice-president, Raoul Walsh as second vice-president, Albert Rogell as secretary and Lesley Selander, treasurer.

Jackson Park Decree Drives Grosses Down

B. & K. Loop Income Is Said to Be Off 30-50%

CHICAGO, May 17.—The Jackson Park Theatre decree, and particularly its two-week limitation on Loop runs, continues to drive grosses downward in the defendants' first-run theatres here.

Balaban and Katz Loop theatres are singularly affected, estimates placing the decline in grosses at those houses anywhere from 30 to 50 per cent below pre-decree levels, from week to week.

Because of the two-week limitation on Loop runs, distributors with the exception of B. and K.'s affiliate, Paramount, are selling away from the circuit's Loop houses. Pick of the product now is going to the Essaness Woods and Oriental, and the Mon-

(*Continued on page 7*)

Set Booking Agency For Foreign Films

Organization of the first film-buying-booking service here to handle foreign product exclusively was announced yesterday by Walter I. Lasker, president of Lasker-Schwartz, Inc., of this city, following a three-month tour to study the market in this country for films from abroad.

Lasker said that "more than 20"

(*Continued on page 7*)

Langer Would Plug Trust Law Loophole

Washington, May 17.—A Senate judiciary subcommittee, headed by Sen. Langer, today approved a bill to close a loophole in the Clayton Anti-Trust Act and bar one company from acquiring the physical assets of another when the result is to restrain competition and establish monopoly.

At present, the law merely outlaws one corporation from acquiring the stock of another to establish a monopoly, leaving the "physical assets" loophole.

Personal Mention

NORTON RITCHEY, Monogram-Allied Artists International president, has returned to New York from London and the Continent.

•

ERIC JOHNSTON, Motion Picture Association of America president and honorary chairman of the Washington, D. C., Salvation Army campaign drive, will be guest speaker at a luncheon there today launching the Capitol drive.

•

DEWITT CELSOR, assistant manager of the New York Paramount, became a father yesterday, a daughter, Peggy Dee, having been born to MRS. CELSOR at Lenox Hill Hospital.

•

CHARLES SCHLAIFER, 20th Century-Fox advertising-publicity head, will address a luncheon today of the Advertising Club of Washington, D. C.

•

WILLIAM SATORI, Allied Artists-Monogram European manager, has returned to New York from a Pittsburgh vacation.

•

DAVID BEZNOR, attorney for the Colosseum of Motion Picture Salesmen, will return to Milwaukee today from here.

•

WILLIAM SALTIEL, Marshall Grant Productions board chairman, has left Chicago for Hollywood.

•

PAUL HOLLISTER, RKO Radio national publicity director, has returned here from the Coast.

Industry Clear in Jersey Legislature

WASHINGTON, May 17.—The New Jersey state legislature has recessed until August, leaving only two state legislatures in session, according to Motion Picture Association of America legislative representative Jack Bryson. It still has to determine, when it reconvenes, how to pay for a soldiers' bonus, which it has just voted.

Louisiana went into session last Monday and Massachusetts has been in session since January. Maryland has called a special session for May 25 to deal with the pay of state officials.

Fire Record Clear

WASHINGTON, May 17.—Motion picture exchanges and shipping depots in 1947 were free of fire loss for the second successive year, according to the annual report of the Motion Picture Association of America's conservation department.

Balaban Flies West

Barney Balaban, president of Paramount Pictures, flew from here to Hollywood yesterday for conferences with Henry Ginsberg, vice-president in charge of production. Balaban was accompanied by Ed Weisl, attorney for Paramount Pictures.

Tradewise . . .

By SHERWIN KANE

CECIL B. DeMILLE refused to pay a $1 assessment levied by the American Federation of Radio Artists during the 1944 elections to help finance a campaign against opponents of the closed shop.

His idea at the time was simply that he did not wish to help underwrite, even to the extent of $1, a legislative aim to which he, as an individual, was opposed.

AFRA, after making repeated and futile demands for the dollar, expelled DeMille from membership in the union. In consequence, he was unable to appear with his own program or on any other radio program in the country without buying the time himself.

Thereupon, what had been a purely personal fidelity to a personal conviction, promptly became a cause to DeMille.

It was no financial or otherwise material penalty to DeMille to be barred from the air. His fortune had been made, his career and reputation were secure. The motion picture industry in which he had achieved all three, and its rich rewards, still were open to him.

•

But DeMille was struck with the realization of what his experience could mean if visited upon others less fortunately situated than himself. It could, he saw, deprive such a one of his only means of livelihood.

Thus began DeMille's crusade for "the right to work."

He fought the issue of AFRA's right to deprive him of radio work through the state courts and all the way up to the Supreme Court of the United States, without success. Rather than pay the $1 assessment in which he did not believe, even though the payment would have resulted in his immediate reinstatement, DeMille deprived himself of some $480,000, representing the ensuing four years' income from his radio theatre program, he spent thousands more for legal fees and devoted much of the time that commands a handsome remuneration in motion pictures and radio to his crusade.

Loss of the money has not injured him but, even though he wins his battle eventually, neither can the victory benefit him materially in any essential way.

DeMille's is a crusade to correct what he perceives to be a fundamental injustice to the individual and a danger to the nation. Having lost in the courts, he was convinced that the laws of the land are inadequate for the protection of the working individualist or idealist.

He is continuing the fight now in an effort to have remedied by legislation what he perceives to be a deficiency in existing law.

Thus, last week he appeared before the House Labor committee and pleaded eloquently for the right-to-work.

Although the Congress is not likely to enact new labor legislation prior to its adjournment about one month from now, it is a certainty that DeMille will be back there fighting for the same legislation when the new Congress is in session.

Whether you agree with DeMille or not, you must, as Senator "Pappy" O'Daniel said of him at last week's hearing in Washington, "admire his courage to fight untiringly for what he thinks is right," against great odds and at great financial sacrifice.

• •

Despite reported statements, attributed directly to Howard Hughes, that he does not contemplate taking a key administrative role in RKO affairs, the trade believes he will do just that.

Why else, they ask, put up $9,000,000 for a controlling interest? If it was simply an investment that Hughes was interested in, then why not a $9,000,000 investment in some other company, say, Paramount, which would not entail control?

It is widely believed that Hughes, because of the 20-year evidences of his interest in production, will actively concern himself with the studio. In consequence, it is assumed that N. Peter Rathvon, RKO president, will re-transfer his headquarters to New York from Hollywood, where he has spent the bulk of his time for the past several years.

It is also regarded as likely that the New York offices and personnel of Hughes Prod., headed by Harry Gold, Alec Moss and others, will be moved to the RKO home office. Hughes Prod. is expected to be liquidated in time.

Morality in Films Topic at Luncheon

Necessity of "liberty and freedom in motion pictures, but not license" was stressed by Father Patrick J. Masterson, of the National Legion of Decency, in a talk here yesterday at the annual luncheon of the motion picture department of the International Federation of Catholic Alumnae at the Hotel Pierre. Discussing the pervasive effect of the screen, Father Masterson said that because of these effects, Legion was concerned with one as of them—"the moral aspect."

Others on the dais were: Mrs. James F. Looram, Rosalind Russell, Austin Keough, J. Robert Rubin, Richard Reed, Mrs. Henry Mannix, Patrick Scanlan, Una O'Connor, Francis Harmon, Hal Hode, Albert Hossen and the Rev. Thomas F. Little.

Grady Will Manage Paramount Branch

CINCINNATI, May 17. — James J. Grady, former 20th-Fox district manager, has taken over management of the local Paramount branch.

Irene Segal, former secretary to Grady, has been named office manager at 20th-Fox.

Feltheimer, Maxwell Win

RKO Theatres' "Stunt of the Month" showmanship awards for April have been won by Myron Feltheimer, manager of the RKO Shore Road, Brooklyn, and George Maxwell, RKO Keith's, Syracuse. Sol A. Schwartz, vice-president and general manager of RKO Theatres presented both with prize checks.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Spencer Katharine Van
TRACY HEPBURN JOHNSON
Angela Adolphe Lewis
LANSBURY MENJOU STONE
in FRANK CAPRA'S
"STATE of the UNION"
Presented by M-G-M and Liberty Films
SPECTACULAR STAGE PRESENTATION

VERONICA LAKE
JOAN CAULFIELD
BARRY FITZGERALD
"the 'Sainted' Sisters"
A Paramount Picture
in Person
BUDDY MORENO
and his Orchestra
LINA ROMAY
THE WIERE BROS
Extra HENNY YOUNGMAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

WILKIE COLLINS'
'WOMAN IN WHITE'
Starring
ELEANOR PARKER · ALEXIS SMITH
SYDNEY GREENSTREET · GIG YOUNG
IN PERSON
BEA WAIN · ANDRE BARUCH
JACK EIGEN · PAUL BRENNER
SARAH VAUGHAN
LARRY GREEN & ORCH.
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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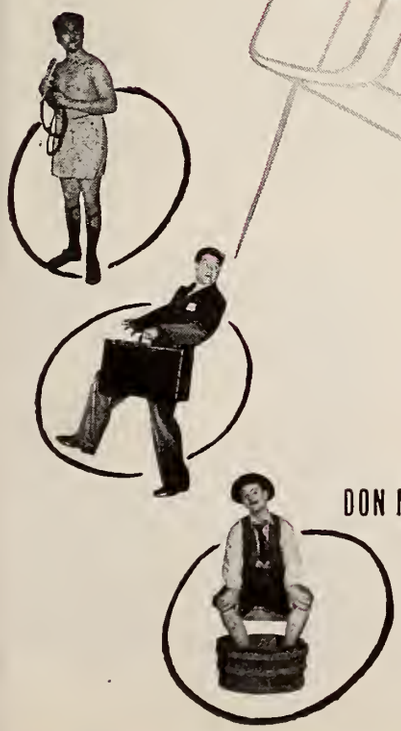
RED SKELTON

as

The Fuller Brush Man

He rings the bell with one of the funniest comedy ideas in years!



co-starring

JANET BLAIR

with

DON McGUIRE · HILLARY BROOKE · ADELE JERGENS · ROSS FORD · TRUDY MARSHALL

AN EDWARD SMALL PRODUCTION

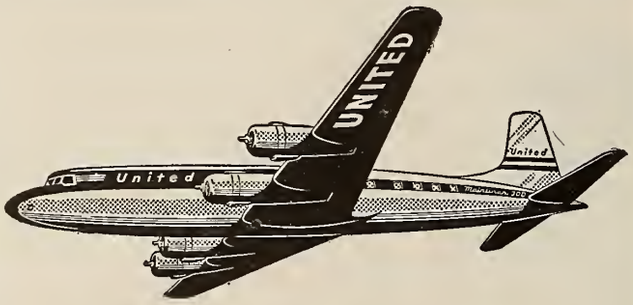
Screenplay by Frank Tashlin and Devery Freeman

Based upon a SATURDAY EVENING POST story by Roy Huggins

Produced and Directed by S. SYLVAN SIMON

A COLUMBIA PICTURE

COLUMBIA PICTURES



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5 in Contempt to Start Stipulations

WASHINGTON, May 17.—Five writers and directors charged with contempt of Congress will appear in U. S. District Court here tomorrow morning. They are: Albert Maltz, Samuel Ornits, Alvah Bessie, Herbert Biberman and Edward Dmytryk.

An agreement has been reached between defense counsel and the Government whereby in return for the five waiving trial and agreeing to have their cases decided on the basis of facts stipulated into the record tomorrow, verdicts will be withheld until higher courts rule on the convictions of writers Dalton Trumbo and John Howard Lawson.

Three of the five will go before Judge David A. Pine, who presided over the Trumbo trial, while the other two will appear before Judge Richmond B. Keech.

A similar arrangement has been worked out for the remaining three of the 10: Ring Lardner, Jr.; Lester Cole and Adrian Scott, who will probably appear in court later in the week. Argument on motions for new trials for Trumbo and Lawson are still set for Friday, with denials of the motions and immediate sentencing considered likely.

Colosseum

(*Continued from page* 1)

the same bargaining units with salesmen.

This was indicated yesterday by Colosseum attorney David Beznor following a conference at the NLRB office here among lawyers representing the principals concerned in the forthcoming balloting by the country's 1,000-odd film salesmen who will vote on whether or not they desire to be represented by the Colosseum for collective bargaining purposes.

Beznor explained that the NLRB ruling does not disqualify branch sales managers from Colosseum membership but merely deprives them of bargaining rights in the union. Van Dyck was one of the prime movers in the formation of the Colosseum, which already has a membership of about 820 salesmen and 30 branch sales managers.

Yesterday's meeting, called to set an election date, was "inconclusive," because distribution companies have not as yet provided the NLRB here with payroll lists of salesmen who are to receive NLRB ballots. As a result, according to an NLRB spokesman, the 30-day period within which the voting must take place may be extended.

'4A' Video Pact Talks Recessed Until June

Conferences between a committee of the Associated Actors and Artistes of America and representatives of Dumont, *New York Daily News* and the four major networks, for the negotiation of the first contract governing the employment of television performers have been recessed to June.

Meanwhile the telecasters will study proposals submitted by the AAAA negotiating group headed by George Heller, American Federation of Radio Artists' executive secretary, and formulate counter-proposals for presentation to the union when negotiations are resumed.

SMPE Meet

(*Continued from page* 1)

nels by which they could televise films directly and privately from studios to theatres. However, he had been rebuffed, Larson asserted. His address was roundly applauded by some 600 delegates on hand for the opening of the SMPE's 63rd semi-annual convention at the Ambassador Hotel here today.

RCA vice-president W. W. Watts read a paper containing statistics which indicate that 1,000 telecasting stations will be operating within five years, half of them linked to the four major networks, and delivering about two and a half hours' entertainment daily. This will require a film equivalent of 1,825 feature-length pictures annually, he said.

At the same time Ralph B. Austrian, Foote, Cone and Belding vice-president, reported that the results of a survey among 415 home set owners in New York disclosed that half of them have reduced their film patronage. Austrian also presented charts showing that theatre attendance by set owners has dropped 25 per cent.

SMPE president Loren Ryder, in his annual report, claimed that the society in its long career has established more fixed standards in the film industry than have ever been furnished in any other industry. He pointed out that these have resulted in guaranteeing uniformly adequate presentation of the industry's product throughout the world.

EK Official Describes New Film Base at SMPE Meet

SANTA MONICA, Cal., May 17.—A new type of film base, adopted by Eastman Kodak for manufacture of much of its "safety" motion picture stock, was described tonight before the convention of the Society of Motion Picture Engineers.

Charles R. Fordyce, superintendent of manufacturing experiments at Kodak Park, in Rochester, N. Y., told the meeting that Kodak has replaced acetate propionate safety film support with a new "high acetyl" acetate type.

SMPE To Hear Downes

"Film projection equipment for television stations" is the subject of a talk to be given tomorrow evening at a meeting of the Society of Motion Picture Engineers at Hunter College Playhouse, by L. C. Downes of General Electric.

Extras Elect Gordon

HOLLYWOOD, May 17.—Screen Extras Guild last night elected Richard H. Gordon president.

NATURALLY

you're going to play

"TEXAS, BROOKLYN and HEAVEN"

sent from UA

TRAILERS

COST LESS *and* SELL MORE

than

Any Other Form of

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* "Trailers draw 31% of your Patrons" ...says Woman's Home Companion in authoritative 1947 Movie Survey!

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WALDORF-ASTORIA

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FRIDAY, MAY 21st, 1948

TICKETS $10.00 PER PERSON

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HOTEL ASTOR, NEW YORK 19, N. Y.

Buxton to England; Aids Relief Project

Joseph Buxton, independent theatre operator of Manchester, England, has arrived in New York en route back to England after four years of residence in California for reasons of health.

On his return to England, Buxton will endeavor to obtain British and French government approval for the release of some frozen dollar credits to be used for food purchases here th. Meals for Millions, a non-profit, philanthropic organization, which would distribute the food to British and French children.

Films' ERP

(*Continued from page* 1)

ferent information media as to their "minimum requirements" for the first year's operation add up to better than $20,000,000, it was understood, so that even if the full $15,000,000 were voted, each branch would not get as much as it would like.

The motion picture industry hopes to get between $4,000,000 and $6,000,000 of its production and distribution costs back, with most commonly mentioned figure about $5,500,000. A cut in the $15,000,000 would probably require a proportionate cut in funds for films.

The Appropriations Committee heard testimony last week in favor of the full $15,000,000, with State Department officials stressing the importance of keeping films and other American products moving into Europe. Questioning by some Republican members was sharply critical, however.

Selznick-Korda Deal

(*Continued from page* 1)

to star in some of the motion pictures.

The contract provides for various methods of consultation between Selznick and Korda on scripts, editing, and all other phases of production.

Selznick will own the pictures outright for the Western Hemisphere, while Korda retains them for the Eastern Hemisphere. In North and South America, they will be distributed by Selznick Releasing.

Coast to coast and overseas, fly world-proved TWA

One airline, TWA, takes you to principal U. S. cities or to Ireland, Paris, Egypt and other key points in Europe, Africa and Asia. When you go, fly by dependable TWA Skyliner with crews seasoned by millions of trans-world miles.

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Set Booking Agency

(*Continued from page* 1)

first-runs in various sections of the country, some assertedly never having shown a foreign film, already had signed with the new firm. He hoped to have "50 or even 75" lined up by the end of the year.

Lasker, who formerly was with Major Pictures and Siritzky International, reported his tour disclosed an interest in foreign pictures among exhibitors and public that had never been adequately met.

"Wherever I went," he said, "I heard the same story. Foreign films have come of age. Exhibitors want more, but they must get the right films."

According to Lasker, his company will attempt to lift the presentation of foreign pictures out of the status of a hit-or-miss proposition.

Realizing that putting across a foreign picture is as important as buying a right one, Lasker said that his outfit will operate as "a central agency with an eye on the individual problems of member exhibitors." He added that the company will provide "assistance to theatre owners in advertising, promotion and programming."

Associated with Lasker is Irving Schwartz, an attorney formerly with the general counsel's office of the OPA and the corporate reorganization division of the SEC.

Hear Motion Today In US vs. Ascap Suit

An Ascap motion seeking to have Broadcast Music, Inc., made a party to the anti-trust action brought against the society by the Government will be argued today in U. S. District Court here.

Elimination of references to BMI in Ascap's answer to the trust charges is sought by the Government, which accuses the society of participating illegally in a worldwide cartel and conspiracy to monopolize music performing rights.

New 5th and Walnut Trial Starts Here

Fifth and Walnut Amusement's $2,100,000 anti-trust action against eight distributors went to trial again in U. S. District Court here yesterday following a mistrial last week, called after a plaintiff's representative allegedly conversed with a jury member during a recess.

A new jury was sworn in yesterday by Federal Judge Vincent L. Leibel and today trial attorneys will begin their opening statements.

'Unconquered' Released

CHICAGO, May 17.—Paramount today put "Unconquered" on the market for immediate bookings for neighborhood showing. The company withheld the film for subsequent-runs up until now, pending Judge Michael Igoe's decision on the local contempt hearings. Withholding of the film was considered by Judge Igoe to be in violation of the Jackson Park decree.

U-I Switches Managers

CHICAGO, May 17.—Louis Berman has been appointed Chicago branch manager for Universal-International, it was announced here today by M. M. Gottlieb, U-I Midwest district manager. Jack Bannon, former manager here, will occupy that post in Milwaukee, formerly held by Berman.

ATOI Meet at French Lick, July 26-28

INDIANAPOLIS, May 17.—Associated Theatre Owners of Indiana will hold its eighth annual mid-summer convention at French Lick Springs, Ind., July 26-28. Marc Wolf heads the convention committee.

Jackson Park

(*Continued from page* 1)

roe, which are not subject to the decree and hence may continue runs of indefinite duration.

B. and K.'s product dilemma was described to the Federal Court here last week in an unsuccessful effort to obtain modification of the two-week run limitation. Ed Johnson, attorney for Paramount and B. and K., told Judge Michael L. Igoe that the circuit's Loop houses are unable to get the better product or even enough product. He related that the Garrick Theatre had been forced to abandon first-run policy and the Chicago Theatre had dropped its time-honored stage shows in an effort to induce distributors to place more of their top pictures in that house.

Judge Igoe, unmoved, replied that the decree will not be changed unless a higher court sees fit to change it.

Accepting the suggestion, B. and K. reportedly is considering an appeal to a higher court.

B. and K. houses on occasion have been forced to resort to reissues to fill in open playing time in first-run houses when better product was not available. Price scales are being maintained, for the most part, however, despite the fact that patrons are rapidly becoming accustomed to seeing new pictures in neighborhood theatres immediately after the brief Loop runs for lower admission prices.

Sinatra on Cancer Show

CHICAGO, May 17.—Frank Sinatra will appear in person for the "Miracle of the Bells" charity premiere for the Cancer Fund to be held May 25 at the RKO Palace. Jesse L. Lasky, producer of the film, will also attend.

N. Y. Grosses

(*Continued from page* 1)

plus Duke Ellington's band on stage, at the Paramount; $60,000 is expected. "The Pirate" will take over at the Hall on Thursday. "The Sainted Sisters" will move into the Paramount on Wednesday.

"Homecoming" is holding up in its third week with Xavier Cugat's orchestra at the Capitol, where $95,000 is expected. A so-so $28,000 is expected for a fourth week of "Arch of Triumph" at the Globe. At the Astor, a mild $18,000 is due for the seventh week of "Mr. Blandings Builds His Dream House." Also mild is "The Woman in White," plus Bea Wain and Andre Baruch on stage at the Strand, where the second and final week looks like $40,000. "Silver River" will open Friday.

At the State, "The Fuller Brush Man" is heading for a good $30,000 in its first week. "Letter from an Unknown Woman" was disappointing at the Rivoli, where a third and final week was expected to bring in only $12,000. "Another Part of the Forest" opens there today. Also disappointing, in its second and final week, is "Dear Murderer," due to bring the Winter Garden a mere $6,000. "River Lady" will move in on Thursday. "The Brothers" is holding up well at the Sutton, where the second week brought a good $8,700.

Business elsewhere is expected to shape up as follows: "Gentleman's Agreement," Mayfair, 27th week, $9,000; "The Search," Victoria, eighth and final week, $9,500; "The Mikado," Park Avenue, six-day fifth and final week, $4,000. "Berlin Express" will move into the Victoria on Thursday, and "Citizen Saint" will bow into the Bijou on the same day.

Product Lack Closes Warner Theatre Here

The Warner Theatre here, a company "showcase," ceased operating on Sunday. A spokesman explained yesterday that the house had closed because of a product shortage. Broadway had heard that Warner may dispose of the house. Legitimate stage producers are said to be interested in leasing it.

Raw action . . . twice as terriffic as "T-Men" and made by the same team, is "RAW DEAL." This box-office natural stars Dennis O'Keefe, Marsha Hunt and Claire Trevor. Edward Small produced, Eagle Lion releases.

SHOWMEN'S TRADE REVIEW

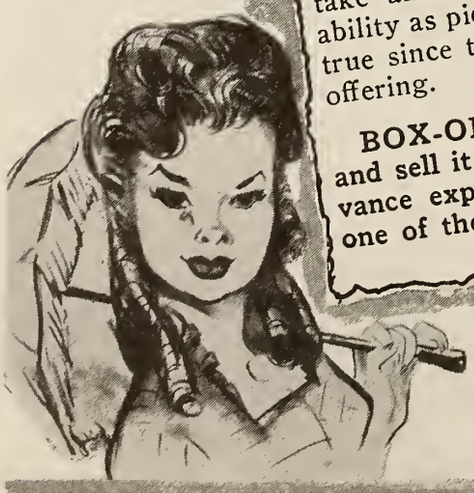
The Dude Goes West

AUDIENCE SLANT: (Family) A hilarious satire on westerns that contains so much entertainment and fun that not only will the entire family enjoy it, but they'll also insist that their friends see it too. Don't let this offering pass you by.

Comment: This is delightful entertainment from start to finish, and the exhibitor who fails to take advantage of "The Dude Goes West" may well find himself considerably out of pocket. Crammed with humorous situations and presented expertly by the King Bros., it is a picture that will provide 87 minutes of rollicking amusement for the entire family. In classification, it is a satire on westerns, but one that is completely different due to the masterful handling of the comedy situations and the etching of the characters. The King Bros. have given it an excellent cast, headed by Eddie Albert. With him are Gale Storm as the heroine, James Gleason as an old prospector, Barton MacLane as the bad man, Binnie Barnes as the educated gang leader and Gilbert Roland as a smooth heavy. They all satirize standard western types, with each individual delineation a pleasure to behold. Even the supporting cast is unusually good. Much credit goes to Richard Sale and Mary Loos for their hilarious script, from which Kurt Neumann in his direction lost no opportunity for laughs. With this offering the King Bros. take another step forward in their proven ability as picture-makers, this being especially true since this is their first wide-open-spaces offering.

BOX-OFFICE SLANT: Get behind this and sell it to the hilt, for with plenty of advance exploitation it should turn out to be one of the sleepers of the season.

This is the stuff that showmen's dreams are made of!



LIZA CROCKETT...
The Dude saved her from a fate worse than death!!!

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 97 NEW YORK, U.S.A., WEDNESDAY, MAY 19, 1948 TEN CENTS

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Dip In Gross Level at Key City Houses

Rains, Cold Responsible; Weekly Average $14,545

Theatre grosses in many key cities slumped last month as a result of heavy spring rains and unseasonably cold weather, according to reports on 168 situations received from MOTION PICTURE DAILY correspondents in the field.

Weekly average gross per theatre in April was $14,545, against $15,202 in the previous month. Average for April, 1947, was $16,401.

Circuit and distribution executives estimate the overall decline in grosses during April at seven to 10 per cent below the average prevailing at the first of the year. This continues into the second 1948 quarter the trend noted during the January-through-March quarter of an average decline in grosses of approximately 10 per cent. Generally adverse weather conditions are believed to have been a

(*Continued on page* 11)

Film Exports Off, Equipment Rises

WASHINGTON, May 18.—Film exports during the first quarter of 1948 fell slightly from the record levels set in the first three months of 1947, according to Commerce Department film chief Nathan D. Golden. Equipment exports showed a slight increase.

Exports of features totaled 74,093,423 feet during January-March, compared with 77,540,641 in the first three months of 1947. Raw stock shipments

(*Continued on page* 3)

'Heineman Drive' Starts on June 4

Eagle-Lion on June 4 will launch a 26-week 'Bill Heineman Sales Drive', in tribute to the company's distribution vice-president. Some $27,500 will be made available for prizes for district and branch managers, salesmen and bookers. Of the total, $7,500 will be available for J. Arthur Rank product and $5,000 for Edward Small releases.

Time for Rehearing Petitions Lapses

Washington, May 18.—No petitions for rehearing of the Paramount, Schine or Griffith cases had been filed with the Supreme Court by defendants up to the time the court clerk's office closed at 4:30 P.M. today, end of the 15-day period for the filing of such petitions. Moreover, no requests for an extension of the time for filing had been received.

Technically, defendants have until midnight tonight to file petitions for rehearing and could comply by delivery of papers to the night guard before midnight. Some defendants had seriously considered asking rehearings despite the court's almost unanimous decisions.

RKO Appeal Upheld In Bordonaro Suit

BUFFALO, May 18.—Federal Court Judge Harold P. Burke has granted a motion by RKO Radio to set aside a jury verdict holding the company guilty of conspiring with Warner Brothers and Paramount, but turned down similar motions by the latter two. The jury verdict, handed down last January in a triple-damage anti-trust action brought by Bordonaro Brothers Theatres, Inc., of Olean, N. Y., awarded $85,500 damages to the plaintiff, operator of the Palace Theatre in Olean.

The original complaint, filed early last year, named seven companies as

(*Continued on page* 3)

Howard Dietz Hits Ads in Television

Howard Dietz, advertising-publicity vice-president of M-G-M, told a luncheon-meeting of the Advertising Women of New York at the Hotel Astor here yesterday that television has "started on the wrong foot" by selling advertising time. "One of the things that made motion pictures successful and great," he declared, "was their avoidance of commercial advertising at their beginning."

Dietz, guest at the gathering of about 250, delivered a "report on the motion picture industry" immediately after Richard de Rochemont, March of Time producer, also a guest speaker, had predicted that television, once it attains the desirable number of

(*Continued on page* 3)

Skouras Predicts Higher Earnings

Domestic film income of 20th-Fox for the first half of 1948 will top that for the same period of 1947, while foreign earnings will dip below last year's, according to an estimate presented by Spyros P. Skouras, company president, at the annual stockholders' meeting here yesterday.

Skouras said that earnings were expected to equal $1.25 for the second quarter of 1948 per common share and $2.25 for the half, with a third quarter bigger than last year's—provided profits continue at present levels—39 weeks equal to 1948's and a final quarter "possibly" better than the similar 1947 period. The company earned 84 cents per share in 1947 for the first quarter, $2.91 for the half.

A net profit of $2,926,842, after all charges, for the first quarter of 1948 ended March 27 was reported at the

(*Continued on page* 6)

Abbott Abolishes 20% Canadian Levy

OTTAWA, May 18.—Abolishment of the 20 per cent war excise tax on theatre grosses was announced tonight by Finance Minister D. C. Abbott in his presentation of the 1948 budget before the House of Commons.

Ontario exhibitors, however, regarded the move as bearing little benefit for their business since the provincial government has already made legislative arrangement for the automatic levying of a 20 per cent ticket tax, with proceeds to go to hospitals. Other provincial governments have also been studying the developments with a view to imposing their own levies.

E-K's Plastic Film Described for SMPE

SANTA MONICA, Cal., May 18.—Eastman Kodak has perfected an all-plastic film which will minimize the need for fire protection, long a major cost item for studios and theatres, Charles R. Fordyce disclosed today in a report to the Society of Motion Picture Engineers convention here.

The new film is already available in quantities sufficient for the industry to conduct tests in a field which might take a year, he said, pointing out that Eastman manufacturing facilities could meet the fullest possible demand in two years if the change-over from acetate film to the plastic were general.

Cost of the new film is 1.4 cents per

(*Continued on page* 6)

Divestiture No Financial Blow Says Skouras

Is Renamed President; All Other Officers Also Stay

Any possibility that 20th-Fox's financial structure might be weakened by divestiture of its theatre interests under a Government directive was scouted by president Spyros P. Skouras at the company's annual stockholder's meeting here yesterday. Skouras was re-elected president of the company at a meeting of the board after the stockholders' session. All other officers were retained as follows: William C. Michel, executive vice-

Spyros Skouras

(*Continued on page* 6)

Reserve Decisions On 5 in Contempt

WASHINGTON, May 18.—Two District judges took under advisement today the cases of five writers and directors charged with contempt of Congress.

Decisions will be handed down after higher courts rule on appeals of John Howard Lawson and Dalton Trumbo, already convicted of contempt. The

(*Continued on page* 3)

22% Is 20th's Share Of UK Remittances

Spyros P. Skouras, president of 20th-Fox, estimated at the stockholders' meeting here yesterday that 22 per cent would be the company's share of remittable earnings allowed American companies under the terms of the British *ad valorem* tax settlement. Total remittances are set at $17,000,000, plus an amount equivalent to the earnings of British films in the American market.

MPA Codes Respect Freedom: Schlaifer

WASHINGTON, May 18.—Pointing to the film industry's success in putting its "own house in order" by adhering to the voluntarily-adopted production and advertising codes of the Motion Picture Association of America, 20th Century-Fox advertising-publicity director Charles Schlaifer today told the Advertising Club of Washington, meeting at the Statler Hotel here, that although the codes have not "always been respected by outlying elements in the industry not subject to control . . . we cannot under our democratic system carry even our private enforcement methods to the point of curbing anyone's right to free expression, even ugly expression from an ugly source."

Schlaifer told the meeting that rigid regulations were drawn up for enforcement of the codes and stiff penalties were imposed. Long before they were adopted, he said, "a campaign designed to fasten the full attention of the outlying elements upon this responsibility was inaugurated and is still continuing. Even our individual press-books dealing with given pictures carried inserts urging observance of this charter in letter and spirit." The trade press, he continued, "and even the lay press are continually taking note of this comprehensive effort."

Schlaifer cautioned his listeners to be "eternally alive to the responsibilities that go with the privileges of being free citizens in a democracy. It is that freedom," he said, "which permits us to make all kinds of pictures, including the current film, 'The Iron Curtain'."

Priest Urges Films to Stress Family Prayer

ALBANY, N. Y., May 18.—Motion pictures can be used in a decisive way to promote family devotion, stressing the power of family prayer, in the opinion of the Rev. Patrick Peyton, widely known in Hollywood through "The Family Theatre," a radio program, and as national director of "The Family Rosary Crusade." In a speech here, the priest praised screen stars who have donated their services for his weekly radio program and the "Family Rosary" broadcasts on Christmas. He also thanked the Mutual Broadcasting System for granting him broadcast time.

Brylawski Proposes Informational Films

WASHINGTON, May 18.—Making of 16mm. films for showing at conventions of employer groups and other organizations was suggested to the National Committee to Aid the Physically Handicapped today by A. Julian Brylawski. Brylawski was taking the place of Theatre Owners of America president Ted Gamble at a meeting of the group's publicity committee.

Brylawski told the group that in view of its limited funds, films would be the most effective way to use the money.

Personal Mention

DANIEL T. O'SHEA, president, and ERNEST L. SCANLON, vice-president and treasurer of Vanguard Films, are in New York from Hollywood for SRO and Vanguard conferences.

•

JACK L. WARNER, JR., will be given a dinner tomorrow evening by Warner home office executives at the Hotel Warwick on the occasion of his May 30 marriage to BARBARA RICHMAN of New Haven, at the Hotel Pierre here.

•

R. A. MCNEIL and MRS. MCNEIL have arrived here from a South American cruise and will leave for their home in San Francisco on Friday.

•

ERNEST L. HYMAN, vice-president of Paramount Theatres Service, is in Chicago from New York, and from there will go to Minneapolis tomorrow.

•

LOU COHEN, manager of Loew's Poli, Hartford, and MRS. COHEN have become grandparents again, their daughter, MRS. GEORGE COHEN of Waterbury, Conn., having given birth to a daughter.

•

JOHN THOMAS, who resigned as Monogram salesman in Denver, is now manager of Central Booking Service in that city.

•

E. J. WILLIS, Atlas Theatres auditor in Denver, is in St. Joseph's Hospital in that city for surgery.

•

ARTHUR ADAMS of M-G-M's sales department, has returned here from Milwaukee.

•

H. M. RICHEY, M-G-M's exhibitor relations head, returned to New York yesterday from Kansas City.

•

IKE and HARRY KATZ, heads of Kay Film Exchanges in the Southeast, are in New York from Atlanta.

•

GERALD MAYER, MPAA international division chief, was in Washington yesterday from New York.

•

MARGARET ETTINGER, industry public relations counsel, will arrive in New York today from Hollywood.

•

GASTON DUREAU of Paramount-Richards Theatres, New Orleans, is in New York.

•

ARTHUR ADAMS of M-G-M's sales department, has returned here from Milwaukee.

•

NATE GERSON, Monogram office manager in Cleveland, and his wife are vacationing in California.

BUDD ROGERS, vice-president of Realart Pictures, is touring the company's Southern and Midwestern branches, returning here in two weeks.

•

IRVING LAMM, manager of the Ramona and Holly Theatres in Hollywood and son of JULIUS LAMM, manager of the Uptown Theatre, Cleveland, and MRS. LAMM, will be married on July 25 to PEPPI BRAUMBERGER of Los Angeles.

•

FRANK P. ROSENBERG, independent producer, has arrived in New York from Hollywood to confer with Universal-International executives WILLIAM A. SCULLY and MAURICE A. BERGMAN. He will remain in New York for about three weeks.

•

PAULA HOFFMAN, daughter of I. J. HOFFMAN, New England zone manager for Warner Theatres, and MRS. HOFFMAN, has become engaged to JOHN L. STRAUSS of Mobile, Ala.

•

GEORGE CHASANAS, M-G-M manager for Egypt and the Near East, and JACK GUGGENHEIM, Switzerland manager, are in New York for home office talks.

•

BILL MINDER, exchange and district manager in the Southeast for various distributors, is ill in an Atlanta hospital.

•

JANE STRUDWICK, United Productions of America television sales and promotion representative, has returned to Hollywood from New York.

•

JACK SIMONS, manager of the Center Theatre, Hartford, and MRS. SIMONS are celebrating their 24th wedding anniversary.

•

BEN LAMO, assistant manager of the Warner Strand, Hartford, is a patient at Johns Hopkins Hospital, Baltimore.

•

PHIL CHAKERES, head of Chakeres Theatres, Springfield, Ohio, and MRS. CHAKERES have returned to that city from a Florida vacation.

•

GEORGE F. FOLEY, JR. has been appointed chairman of the television committee of Newell-Emmett Co. here.

•

JOHN GAITHER has sold his Heflin Theatre, Heflin, Ala., to Richard and Duncan Theatres Co.

•

HAROLD LANE of the State Theatre, Crothersville, Ind., has returned to his post after an operation.

•

WALTER OLDS of Argus, Inc., Cleveland, and MRS. OLDS are visiting in Phoenix, Ariz.

Philatelists Meet May 26

Norman Serphos, president of the Scott Stamp and Coin Co., New York, will be guest speaker at a meeting of the Cinema Stamp Collectors at the Hotel Astor on Wednesday evening, May 26.

Kelly in Executive Post

HOLLYWOOD, May 18.—Burt Kelly, who has been a Columbia producer for a number of years, has been named executive producer to head the Robert Cohn-Rudolph Flothow-Wallace MacDonald-Ted Richmond unit.

Newsreel Parade

THE birth of the new Jewish state is featured in all newsreels. Other items include an address by President Truman, sports and human interest topics. Complete contents follow:

MOVIETONE NEWS, No. 40—Birth of the Jewish State of Israel is marked by war. Haganah takes city of Haifa. New York rally hails Jewish state. Leugi Einaudi, newly elected Italian president. Princess Elizabeth on her first visit to Paris. President Truman addresses Young Democrats. Sports: The Preakness, charity golf, Olympic skaters.

NEWS OF THE DAY, No. 274—The birth of a nation: Jewish state proclaimed in Palestine. Twenty-five firemen hurt in San Francisco blaze. President Truman makes an election prediction. Derby winner scores again. "He-men" contest.

PARAMOUNT NEWS, No. 77—Paris hails Royal visitors from London. Big names tee off in benefit drive. Young Democrats hear President Truman. Meat strike: Minnesota calls out National Guard. Mr. America muscles in. Rally hails new state in Palestine.

UNIVERSAL NEWS, No. 77—Jews defend new Zion state. UN wrangles over Palestine truce. Paris hails Princess Elizabeth. Celebrities play at Washington. World figure skate champ thrills Toronto crowd. Mr. America of 1948. Citation wins Preakness.

WARNER PATHE NEWS, No. 79—New Jewish nation born. President Truman talks to Young Democrats. Italy installs new president. Amazing new lens. Fatal fire in San Francisco. Elizabeth and Philip see Paris. Mr. America, 1948.

Fifth-Walnut Trial Enters Third Day

Attorneys for Fifth and Walnut Amusement Co. yesterday read into the trial record its $2,100,000 triple-damage anti-trust suit against eight distributors testimony taken from the defendants before the present hearing before Federal Judge Vincent L. Leibel and a jury. Harold Janicky, co-owner of Fifth and Walnut, took the stand yesterday as the first witness for the plaintiff. Trial will enter its third day today.

New 'U' Exchange in Phila. Opens Monday

Universal will open its new Philadelphia exchange on Monday. William A. Scully, Universal vice-president and general sales manager, will head a New York delegation of executives participating in the ceremonies.

The exchange is the second of a group of four nearing completion. New exchanges in Buffalo and Milwaukee will be opened shortly.

Berkshire in New York

Curtis Mitchell, former Paramount national advertising-publicity director and new treasurer of Berkshire Enterprises, Pittsfield, Mass., has disclosed that some 50 theatres have used the company's "Record Night" promotion and that the company, having established its headquarters in New York, is expanding its operations. The promotion utilizes RCA-Victor phonograph records as giveaways.

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Czech Reds Legalize New Film Monopoly

By J. B. KANTUREK

PRAGUE, May 14 (By Airmail).—Following the Communist coup here, the Czechoslovak government has approved legal requirements necessary for the formation of a state film monopoly, called Ceskoslovensky Statni Film.

This act, in effect, implements by legislation the three-year-old Czech film monopoly known as Ceskoslovenska Filmova. This monopoly was based on the decree of Aug. 11, 1945, but it was constantly attacked by right-wing political parties as an illegal monopoly.

The new constitution of the Czechoslovak Republic stipulates the future of the country's film industry shall be as follows:

"Right to production, distribution, public showing, importing and exporting of films is exclusively reserved to the state.

"To exercise this right, special legislation will be passed which will stipulate exceptions especially for amateur films."

The new decree on film monopoly enlarges the highest administrative body of Statni Film to 15 to 18 members, one-third to be nominated by the Minister of Information from employees of the industry as proposed by trade unions.

By order of the Minister of Information every theatre in the country must include in its programs a short subject, in addition to customary newsreels. Only if the program exceeds 3,400 metres can the short be dropped. Foreign shorts may be played, but only if acquired by exchange or outright purchase.

Maas To Tour MPEA European Markets

Irving Maas, vice-president of the Motion Picture Export Association, will depart on May 22 on the *S.S. Queen Mary* for a six weeks tour of MPEA Continental markets, including Holland, Czechoslovakia, Poland, Hungary, Yugoslavia, Austria and Germany. Visits to Rumania and Bulgaria are also contemplated, but these are contingent on visa clearances.

In Prague, Maas will confer with officials of the Czech Film Monopoly in an effort to work out a distribution agreement with that country for 1948-49. In an additional attempt to find a basis for a film agreement with Yugoslavia, the MPEA chief will go to Belgrade for confabs with heads of the State Film Enterprise.

Distribution agreements with state film monopolies in Poland and Bulgaria are also up for renewal and these will be major objectives of visits to Warsaw and Sofia.

Film Exports Off

(*Continued from page* 1)

dropped from 130,274,333 feet in the 1947 quarter to 110,493,693 in the 1948 period. Equipment exports rose from $3,357,792, to $3,791,923.

Exports of 35mm. negative exposed film dropped from 3,529,333 feet in the first quarter of 1947 to 2,798,748 in the 1948 quarter, and 35mm. positive exposed film shipments dropped from 70,388,008 feet to 66,246,946.

Selznick-Korda Set Story Properties

Story properties tentatively agreed on for the four features to be made in England by David O. Selznick and Sir Alexander Korda during the next year are:

Joseph Conrad's "An Outcast of the Islands," Charles Dickens' "A Tale of Two Cities," scheduled as a Technicolor production starring Gregory Peck; Thomas Hardy's "Tess of the D'Ubervilles," in Technicolor, starring Jennifer Jones, with Carol Reed as producer-director; "The Third Man," also with Reed as producer-director.

Additional story properties available include: Daphne du Maurier's "The King's General," Jules Verne's "Around the World in 80 Days," Thomas Mann's "The Magic Mountain" and Aldous Huxley's "Point Counterpoint."

Present plans call for Selznick to provide most of the stars, Korda the producers and directors.

Video Unit Formed to Probe Film Problems

Television Association here, headed by Milton L. Gold, director of advertising for National Screen Service, yesterday was re-named the National Television Film Council.

A meeting was held at the Astor Hotel attended by 40 representatives of film distributors, producers, television stations and advertising agencies, at which Gold was empowered to appoint a film committee to investigate distribution problems. A similar committee will be appointed to investigate television station problems in their relation to films. It was the consensus of opinion at the meeting that the most pressing problem in television is the coordination of films insofar as rental policies, clearance problems and distribution methods are concerned.

Solons Clear Hughes On Plane Deals

WASHINGTON, May 18.—Democratic Party members on the old Senate War Investigating Committee asserted today that Howard Hughes, new holder of the controlling stock interest in RKO, was in the clear in his wartime deals with the Government.

The report was signed by Democratic Senators Carl A. Hatch, Claude Pepper, J. Howard McGrath and Herbert R. O'Conor, and represented a dissent from a recent majority report filed by committee Republicans.

Wheeler Franchise Sold, Joins Sack

DALLAS, May 18.—Ed A. Wheeler has been appointed sales representative for Sack Amusement Enterprises for Cincinnati, Cleveland, Indianapolis, St. Louis, and Pittsburgh.

Wheeler, Astor franchise holder in Cincinnati, has disposed of his exchange holdings, and will make his headquarters in Cincinnati.

Goldwyn Heads Drive

HOLLYWOOD, May 18.—Samuel Goldwyn has accepted the presidency of the Los Angeles United Jewish Welfare Fund Campaign for the third consecutive year. He named Dore Schary chairman of the motion picture division, and William Gordon and Abe Lastofogel co-chairmen.

'Outsiders' Barred From Canada Video

OTTAWA, May 18.—Canadian Broadcasting Corp. announces a policy of "not granting permission for individual private Canadian television stations to become outlets for non-Canadian systems," hinting that channels necessary will be reserved for "The National Systems," meaning CBS. The statement reveals that the government owned-CBS is studying the establishment of television in Canada, the report indicating the "corporation will proceed just as soon as necessary financing can be arranged."

Canada Import Curbs Seen Hampering Television Plans

OTTAWA, May 18.—Import controls and exchange restrictions occasioned by Canada's dollar shortage are regarded here as factors which will act as brakes on any plans for introduction of television into Canadian theatres. J. Arthur Rank and others reportedly have such plans, but the necessity for importing some $1,000,000 in equipment from the U. S. will not win the permission of the Canadian government, observers say.

Dietz, Video Ads

(*Continued from page* 1)

outlets. will have "enormous demands" for advertising films. March of Time produces such films for television.

Television, Dietz held, was "obstructed at the outset" by making it commercially sponsorable. American theatres "would be empty today" if they carried advertising to the extent that radio does, he claimed, asserting that television could be genuinely successful only if it were operated on a "coin-in-the-slot" basis.

Newspaper film reviewers who are prone to heap praise on foreign films just because they are foreign-made were sharply criticized by Dietz, who said he feels many unfavorably-reviewed American pictures would have received better treatment by the critics if they had a foreign label.

Among others on the dais, in addition to Dietz and de Rochemont, were: Si Seadler, Barret McCormick, Max E. Youngstein, Hortense Shor, Ulric Bell, Women's Club president Grace Johnson, and others.

Bordonaro Suit

(*Continued from page* 1)

defendants, but the jury found no cause of action for any except RKO, Warner and Paramount. Plaintiff charged the companies with conspiracy to prevent its Palace from obtaining first-run product and favoring Warner's Haven Theatre in Olean.

The action by Judge Burke may be reargued in Federal Court or appealed to the Circuit Court of Appeals.

Nasser Expanding Video

HOLLYWOOD, May 18. — Latest developments in television production will be installed at a cost of $100,000 as part of an expansion program at General Service Studios, producer James Nasser reveals.

Tri-States Names Allen

SIOUX CITY, Ia., May 18.—A. Don Allen has been named city manager here for Tri-States Theatres. He formerly was head of advertising.

Decision Reserved in Ascap Trust Suit Move

Federal Judge Simon H. Rifkind yesterday reserved decision here on a move by the Government to defeat an attempt by Ascap to have Broadcast Music, Inc., included as a defendant in the anti-trust action against the society.

Manuel Gorman, special Assistant U. S. Attorney, argued that inclusion of BMI as a defendant be ruled out as insufficient in law.

Louis Frohlich, counsel for Ascap, told the court that protection of American authors and composers demanded that BMI be a party to the action.

Ascap is accused of participating illegally in an international cartel and conspiracy to monopolize music performing rights.

Supreme Court Is Waiting for a Bus

WASHINGTON, May 18.—Supreme Court observers believe that the court's delay in announcing whether or not it will hear an appeal by Interstate Circuit, Inc., and major distributors in the Tivoli Realty Co. treble damage anti-trust suit is because the court has under advisement a similar case involving a Government anti-trust suit against West Coast bus lines and their suppliers.

The day the court announces its decision in this case, observers say, it will also say whether or not it is going to hear the motion picture case.

Discuss Decision as ARMIT Meet Opens

DENVER, May 18.—The recent Supreme Court decision in the Government anti-trust suit against the majors was the subject of discussion today at the opening of Allied Rocky Mountain Independent Theatres convention here. Abram Myers, Allied States Association general counsel and chairman, conducted an open forum on the high court's ruling.

About 75 delegates have registered for the convention which will end tomorrow with the election of officers.

Reserve Decisions

(*Continued from page* 1)

five involved are: Albert Maltz, Alvah Bessie, Samuel Ornitz, Herbert Biberman and Edward Dmytryk.

In today's proceedings, each of the five waived jury trial and then defense counsel and Government attorneys stipulated the record on which the cases will ultimately be decided. Each record consisted of portions of the arguments in the Trumbo and Lawson trials and pertinent portions of the House Un-American Activities committee's Hollywood hearings. Judge David A. Pine, who presided over the Trumbo trial, heard three of the cases today, and Judge Richmond B. Keech heard two.

Similar proceedings are set for Lester Cole, another of the "unfriendly 10," on Friday, while the cases of Ring Lardner, Jr., and Adrian Scott will be heard on June 3. Argument on motions for new trials for Trumbo and Lawson will take place Friday.

Canada Building Off

OTTAWA, May 18. — Contracts for the construction of theatres in Canada dropped in February to $220,000, against $250,000 in the previous month.

M-G-M HAS THE PICTURES!

The Line-up that Peps-up!

APRIL 29

SPENCER TRACY, KATHARINE HEPBURN, VAN JOHNSON, Angela Lansbury, Adolphe Menjou, Lewis Stone in FRANK CAPRA's "STATE OF THE UNION."

MAY 20

"SUMMER HOLIDAY" *(Technicolor)*. MICKEY ROONEY, GLORIA DeHAVEN, Walter Huston, Frank Morgan, Butch Jenkins, Marilyn Maxwell, Agnes Moorehead, Selena Royle.

MAY 27

CLARK GABLE, LANA TURNER, Anne Baxter, John Hodiak in "HOMECOMING" Ray Collins, Gladys Cooper, Cameron Mitchell.

JUNE 3

"BIG CITY" MARGARET O'BRIEN, Robert Preston, Danny Thomas, George Murphy, Karin Booth, Edward Arnold, Butch Jenkins, Betty Garrett, Lotte Lehmann.

JUNE 10

JUDY GARLAND, GENE KELLY in "THE PIRATE" *(Technicolor)*. Walter Slezak, Gladys Cooper, Reginald Owen.

JUNE 24

"ON AN ISLAND WITH YOU" *(Technicolor)*. ESTHER WILLIAMS, PETER LAWFORD, RICARDO MONTALBAN, JIMMY DURANTE, CYD CHARISSE, XAVIER CUGAT.

JULY 8

IRVING BERLIN's "EASTER PARADE" *(Technicolor)*. Starring JUDY GARLAND, FRED ASTAIRE, PETER LAWFORD, ANN MILLER.

JULY 29

"A DATE WITH JUDY" *(Technicolor)*. WALLACE BEERY, JANE POWELL, ELIZABETH TAYLOR, CARMEN MIRANDA, XAVIER CUGAT, ROBERT STACK.

AUGUST 5

GREER GARSON, WALTER PIDGEON in "JULIA MISBEHAVES" PETER LAWFORD, ELIZABETH TAYLOR, CESAR ROMERO, Lucile Watson, Nigel Bruce, Mary Boland, Reginald Owen.

AUGUST 12

RED SKELTON, BRIAN DONLEVY in "A SOUTHERN YANKEE" Arlene Dahl, George Coulouris, Lloyd Gough, John Ireland, Minor Watson.

SEPTEMBER

"THE THREE MUSKETEERS" *(Technicolor)*. LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, Frank Morgan, Vincent Price, Keenan Wynn, John Sutton, Gig Young.

★

M-G-M GREAT IN '48!

GABLE-TURNER WOW!

First two "Homecoming" dates BIG! All-time M-G-M Capitol, N. Y. record! Trenton, N. J. biggest in 2 years!

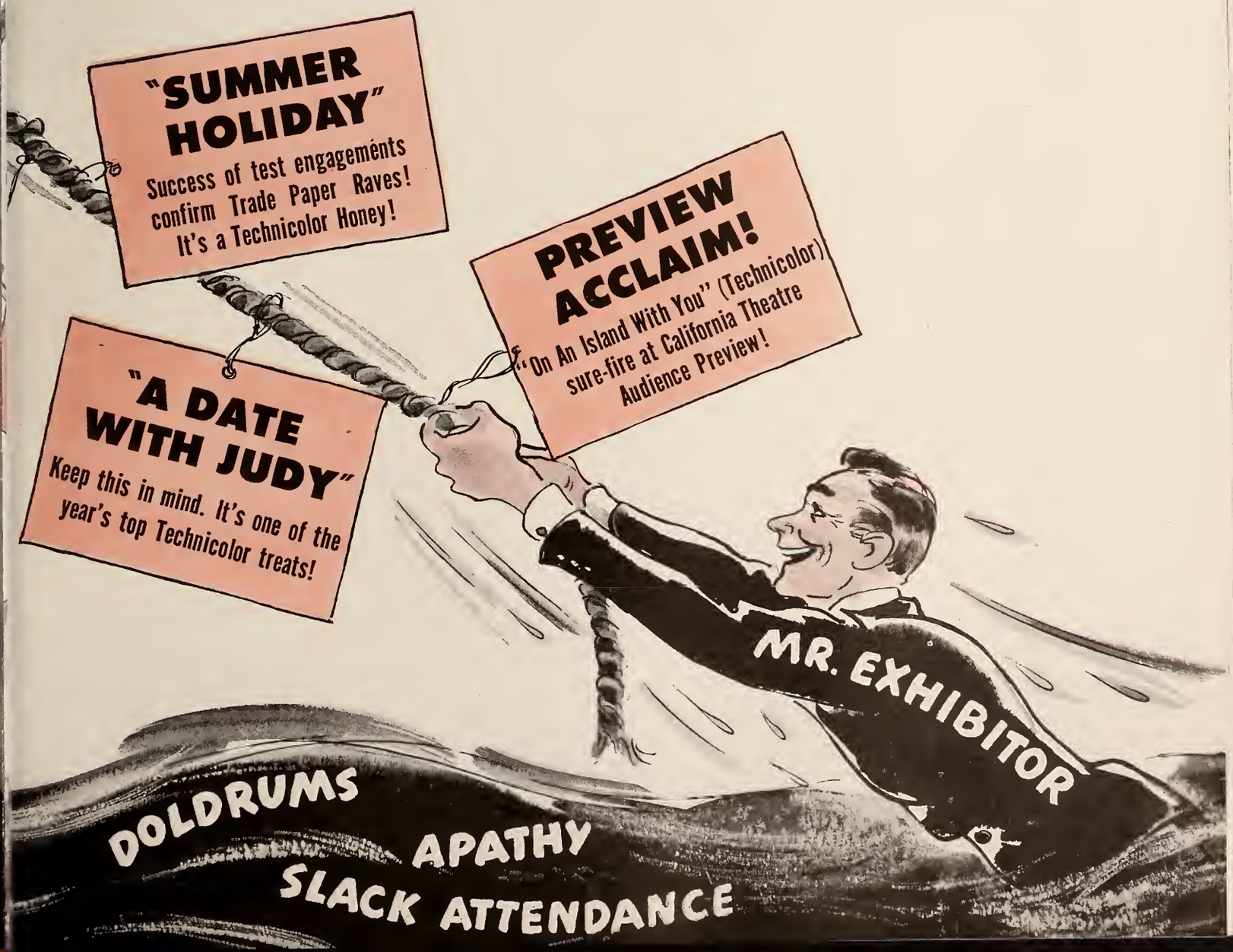
"STATE" GREAT!

Frank Capra's "State of the Union" is a joy from coast to coast.

"EASTER PARADE" TERRIFIC!

Irving Berlin's greatest musical — (Technicolor) a sensation at Press Previews!

LEO TO THE RESCUE!



Expects Settlement In NT Stock Suit

That attorneys for the defendants are expected to make an offer of a settlement in the suit brought by six minority stockholders against 20th-Fox over the sale of National Theatres stock to the parent company was disclosed here yesterday by Otto Koegel, counsel for 20th.

Koegel said that any offer that might be made by the defendants would be subject to court approval.

Plaintiffs seek to have set aside a deal under which Charles P. Skouras, head of National Theatres, and Elmer C. Rhoden, Harold J. Fitzgerald and F. H. (Rick) Ricketson, realized $6,000,000 from the sale of the stock.

Skouras Predicts

(*Continued from page* 1)

meeting for 20th-Fox and all subsidiaries, National Theatres Corp. and Roxy Theatre, Inc., included. Earnings amounted to $1 per common share after deducting dividends on prior preferred and convertible preferred stocks.

In the same period of 1947 the company netted $5,897,603 after all charges. This was equivalent to $2.07 per share of common after deducting preferred dividends. Net for the fourth quarter of 1947 amounted to $3,395,541.

Film rentals and theatre receipts totalled $40,316,174 in the first quarter of this year, against $46,996,356 in the same period of 1947. Federal income taxes were $2,175,000 this year and $3,900,000 for the 1947 quarter.

Following the meeting the board of directors declared a quarterly cash dividend of $1.12½ per share on outstanding prior preferred stock, payable June 15 to stockholders of record on June 1.

The board also declared a quarterly cash dividend of 37½ cents per share on the outstanding convertible preferred stock payable on June 30 to stockholders of record on June 7, and another of 50 cents per share on outstanding common, payable June 30 to stockholders of record on June 7.

E-K's Plastic Film

(*Continued from page* 1)

foot, compared with 1.1 cents for acetate, he added.

Most of today's session was dominated by three papers and a practical demonstration of the new RCA magnetic recording system and equipment for use in film production. Dorothy O'Dea, Earl Masterson, G. L. Dimmick and S. W. Johnson described the RCA system which, they said, may now be fitted into studio equipment without interfering with standard photographic recording.

Five papers on color were read during the evening session.

Rennie Gets Mono. Post

DENVER, May 18. — Hugh Rennie, for years with 20th-Fox as branch manager and salesman, has been made sales manager of the Denver Monogram exchange, owned by Lon T. Fidler.

Set Para.-SPG Hearings

Hearings in the wage dispute between Paramount and the Screen Publicists Guild will begin here May 26 before the American Arbitration Association.

Reviews

"Wallflower"

(*Warner Brothers*) *Hollywood, May* 18

A LIGHT and fairly bright family comedy in the "Janie" tradition, with Joyce Reynolds, Robert Hutton, Janis Paige and some others in the adolescent roles and with Edward Arnold and Barbara Brown as the parents of the two girls whose romantic interests are what the story is about. Its appeal is primarily to the family trade, somewhat especially to parents and adolescents, and it is about as strong in terms of entertainment as the cast names are in pulling power.

Miss Reynolds portrays the more retiring of two sisters by adoption, and Miss Paige the more aggressive and therefore more popular. Early incidents lead to a situation wherein Miss Reynolds, having remained at home from the country club dance because no boy had invited her to attend, emulates her sister's manner and arrives at the party without notice on the arm of a very hep young man, becoming the cynosure of surprised eyes. Her father, who is the district attorney, and Hutton, who has come with Miss Page but switches interest at once, over-indulge at the bar, and Miss Reynolds, taking Hutton for a swim to sober him up, lands in jail on the front pages when mischievous boys steal their clothes. It winds up in an elopement to which all parties subscribe.

Produced strictly for laughs by Alex Gottlieb, and directed that way by Frederick de Cordova, from a script by Phoebe and Henry Ephron, based on a stage play, it affords a pleasant item for a program.

Running time, 77 minutes. General audience classification. Release date, not set. WILLIAM R. WEAVER

"Port Said"

(*Columbia*)

SEVERAL murders are perpetrated in this mystery adventure in a Port Said locale, wherein William Bishop, playing an American author, helps police solve the crimes. Gloria Henry gives a convincing performance in the dual role of two cousins, the daughter of a magician and the daughter of the culprit.

Bishop arrives in Port Said to find that his friend, a theatre manager, has been murdered for booking an act which consists of a magician and his daughter. The author discovers that the magician is searching for his brother-in-law and his niece, Fascist collaborators who escaped from Europe with many valuable articles. Working with the Fascists are Steven Geray, as a cabaret owner, and Jay Novello, as a hotel clerk. Bishop wins the acclaim of the local police and the hand of the magician's daughter when the culprits are captured.

There is much action and suspense throughout the film, although the screenplay, by Brenda Weisberg, based on the story by Louis Pollock, lacks credibility. Wallace Macdonald produced and Reginald Le Borg directed.

Running time, 69 minutes. General audience classification. Release date, April 15.

Industry Subject to Kentucky Wage Order

LOUISVILLE, May 18.—The film industry, including theatres, is subject to Kentucky's minimum wage order, the Kentucky Association of Theatre Owners has been advised by George C. Burton, new commissioner of industrial relations for the state.

On May 21, a conference will be held here between Burton and Rodes K. Myers, attorney for Crescent; William H. Townsend, attorney for Schine; Beverly Jouett, for Chakeres; Henry J. Stites and Guthrie F. Crowe on behalf of KATO, to discuss the industry's status under the order.

Wage Increases for E-L's SPG Unit

Wage increases ranging up to $20 were announced here yesterday for publicity, exploitation and advertising employes of Eagle-Lion's home office under the wage reopening clause of the company's contract with the Screen Publicists Guild. The increases are retroactive to last Nov. 18.

AFM Convenes June 7-11

Wayne Coy, chairman of the Federal Communications Commission, and Sen. Wayne Morse will address the 51st annual convention of the American Federation of Musicians to be held June 7-11 at Asbury Park, N. J. Other speakers will be the union's president, James C. Petrillo, and its general counsel, Milton Diamond.

NSS Employes Win Wage Increases

Wage increases up to $7.50 have been granted some 203 home office employes of National Screen Service in an award handed down by the American Arbitration Association, it was announced here yesterday by the Screen Office and Professional Employes Guild.

Increases are retroactive to last Sept. 27. The NSS award was the last of eight arbitrations between SOPEG and distributors.

Seeks Withdrawal Of Union Complaint

HARTFORD, May 18. — The State Theatre has sought to withdraw its NLRB complaint of "feather-bedding" against local No. 400, musicians union, after signing a new contract for next season, calling for a pit orchestra of six at all times whether or not there is a "name" band. The old contract called for eight men.

Famous Sues 20th-Fox

Famous Records, Inc., yesterday filed in U. S. District Court here a $150,000 damage action against 20th Century-Fox charging that it was represented in an unfavorable light in 20th's "You Were Meant For Me." Twentieth's legal department yesterday declined to comment on the suit.

20th Divestiture

(*Continued from page* 1)

president; Darryl F. Zanuck, vice-president in charge of production; Murray Silverstone and Joseph H. Moskowitz, vice-presidents; Donald A. Henderson, treasurer and secretary; Wilfred J. Eadie, comptroller and assistant treasurer; Francis T. Kelly, newly elected; Fred L. Metzler and Read B. Simonson, assistant treasurers; C. Elwood McCartney, assistant comptroller; J. Harold Lang, Norman B. Steinberg, newly elected; George F. Wasson, Jr., and William Werner, assistant secretaries.

Vacancy on Board

All directors, with the exception of Tom J. Connors, who resigned his post with the company a year ago, were re-elected. They included L. Sherman Adams, Robert L. Clarkson, John R. Dillon, Eadie, Daniel O. Hastings, Henderson, Robert Lehman, Michel, William P. Philips, Seton Porter, Silverstone, Skouras and Zanuck. The place held by Connors on the board remained unfilled.

Answering a stockholder concerned about the possible effect on the company's future of the U. S. Supreme Court's decision in the Government anti-trust suit against the industry, Skouras expressed the belief that "in the long run" 20th-Fox stood to profit from better film rentals in the event divestiture became a reality.

The 20th-Fox chief was confident that other developments would come along to offset any losses resulting from divestiture and bolster industry profits.

Divorcement Procedure Not Set

Skouras said he wasn't certain how the company would divest itself of its theatre holdings should it be compelled to do so. He said the company might get rid of its theatres "as a circuit, as a series of circuits or by individual houses."

Also allayed by Skouras were any fears that television might spell the ruin of the film business. He said he didn't believe television will have an adverse effect on motion pictures. In fact, he predicted that video will actually help theatre business.

"I believe," he told stockholders, "that television will be successful only by virtue of motion pictures."

Skouras disclosed that 20th-Fox is trying to secure the limit of five television stations permitted by the Federal Communications Commission. He said the stations are sought by the company to enable it to bring entertainment into the homes of the nation. The video outlets, according to Skouras, will make it possible for 20th-Fox to service many theatres with film entertainment.

$2,800,000 Cut in Expenses

Stockholders learned that the company succeeded in cutting its expenses by $2,800,000 so far this year. Skouras said that the 24 or 25 pictures the company will release in 1948 cost an average of $1,900,000 each as against $2,300,000 for each of the 18 films released last year. He disclosed that films currently in work represent a cost of $1,600,000 each. Improvement in labor conditions and concentration on the production of a larger number of "intimate" stories were said to be largely responsible for the reduction in production costs.

JINX FALKENBERG AND TEX McCRARY,
N.B.C.'s FAMOUS COUPLE, ARE BROADCASTING TO YOU
THE NEWS ABOUT

Paramount Shorts

FOR 1948-'49

Tex: Now that we're in Paramount shorts ourselves, Jinx, I feel right at home talking about them...

Jinx: And I'm happy to preview for my exhibitor friends how Paramount has streamlined its plans to give them more shorts that mean more entertainment ...and 60% of them in color.....

Tex: Yes, Jinx, Paramount found that audiences want MORE 1-REEL SUBJECTS and more cartoons - so.....

Jinx: And that means MORE COLOR-CARTOONS the public loves— 30 THIS YEAR INSTEAD OF 24 released last season...and a lot of them will be in that wonderful new Polacolor...

Paramount

WILL MAKE 70 SHORTS TOTALLING 70 REELS FOR 1948-'49

Against 64 Shorts Totalling 70 Reels Last Year

Including These 30 Great Cartoons

8 POPEYE Cartoons

In Color

He's Popeye, The Boxoffice Man . . . so definitely a contemporary American folk-hero that he's a "must" on thousands of screens.

10 NOVELTOONS

In Color

Accenting novelty, they've introduced a score of popular characters including Little Audrey, Herman the Mouse, Caspar the Friendly Ghost, Buzzy the Crow and many others.

12 SCREEN SONG Cartoons

In Color

starring

The Bouncing Ball

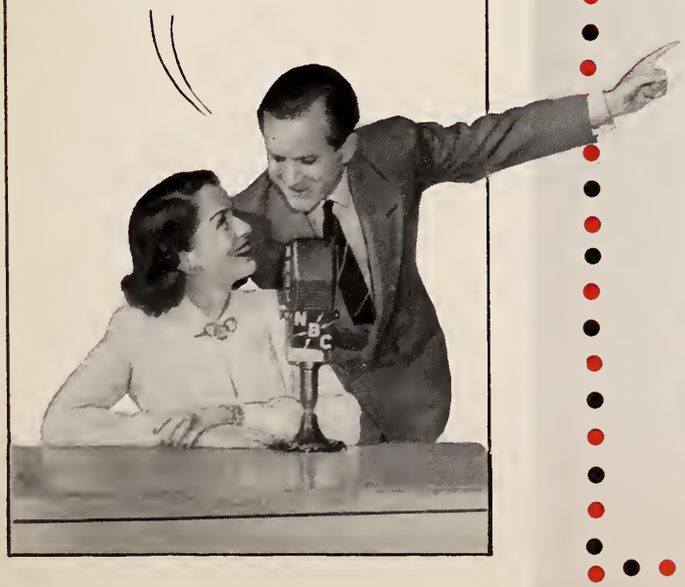
Audience-participation sensation that clicked in 1946, became a series in '47—and now, by popular demand, is increased from 8 to 12 releases.

Jinx: Can I tell about The Pacemakers, Tex? I'm thrilled that our 3 pictures will be part of this delightful series...

Tex: And don't forget the year-after-year achievements of the

3 JERRY FAIRBANKS SERIES.

They're great favorites with every member of every family...



12 Paramount Pacemakers

Produced by JUSTIN HERMAN

Double the number this year with at least half emphasizing music. Packed with big names like Tex and Jinx, Martin Block, Paul Whiteman, Ed Sullivan and Monica Lewis, to mention just a few.

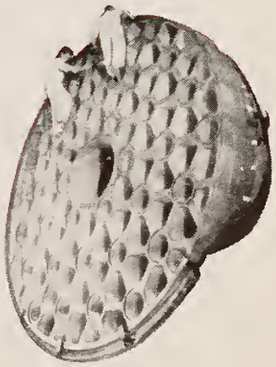
6 Speaking of Animals

Spiced with such hilarious originality, they've won 2 Oscars and the laughter of all the millions who love animals — and fun.

6 Popular Science

In Color

New as the latest research, this series turns wonders of science into wonders of of entertainment to thrill Mr. and Mrs. Average American.



6 Unusual Occupations

In Color

12th year of finding and filming fascinating professions and hobbies of people who make news by new ways to make a living.

Jinx: Do you think we'll ever equal the 28 years of popularity achieved by the public's favorite sport series?...

Tex: News is my department, Jinx ...so I want to say that no film news coverage can compare with...

Jinx: Since we're a typical American family, Tex—let's make sure our favorite theatre in our home town, Manhasset, books all the

10 Grantland Rice Sportlights

Produced by JACK EATON

They're an industry institution . . . reports on sports that are both completely authoritative and dramatically entertaining . . .

Paramount News

The Eyes and Ears of the World

104 Issues—Plus 52 issues of Canadian Paramount News

The Zoomar Lens, most important innovation in screen reporting since sound, makes Paramount News more dramatic than ever. Now from the local ball-park to the international conference table, *any* shot can be made a vivid, thrilling close-up . . . since this new magic eye has been added to the Eyes and Ears of the World.

70 Shorts

42 in color

8 series—plus Paramount News

From Paramount

IN 1948-'49

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Weekend attendance was off because of the "I Am An American" day celebration, drawing over 100,000 people. Outdoor amusements and parks, too, are taking their toll of patrons. "Iron Curtain" looks only average despite the picket ballyhoo. Estimated receipts for the week ending May 20:

ALIAS A GENTLEMAN (M-G-M)—ORIENTAL (3,300) (98c). On stage: Milton Berle-Joan Blondell, 2nd week. Gross: $50,000. (Average: $40,000)
BERLIN EXPRESS (RKO Radio)—PALACE (2,500) (67c-98c). Gross: $19,000. (Average: $25,000)
FURY AT FURNACE CREEK (20th-Fox)—MONROE (953) (50c-67c-95c) 2nd week. Gross: $9,000. (Average: $12,000)
RIVER LADY (U-I)—GRAND (1,150) (67c-98c). Gross: $12,000. (Average: $16,000)
SMART WOMAN (Allied Artists)—STATE LAKE (2,700) (98c). On stage: Hal Leroy. Gross: $25,000. (Average: $35,000)
SONG OF MY HEART (Allied Artists)—APOLLO (1,200) (98c). Gross: $11,000. (Average: $17,000)
STATE OF THE UNION (M-G-M)—WOODS (1,080) (98c) 2nd week. Gross: $24,000. (Average: $23,000)
THE IRON CURTAIN (20th-Fox)—CHICAGO (3,900) (98c). Gross: $37,000. (Average: $37,000)
THREE DARING DAUGHTERS (M-G-M)—UNITED ARTISTS (1,700) (98c) 5 days, 2nd week. **HAZARD (Para.)** 2 days. Gross: $15,000. (Average: $21,500)
WOMAN IN WHITE (WB)—ROOSEVELT (1,500) (98c). Gross: $18,000. (Average: $20,000)

ATLANTA

Business is good here with weather fair and hot. Estimated receipts for the week ended May 18:

DUEL IN THE SUN (SRO)—LOEW'S GRAND (2,446) (12c-60c). Gross: $15,000. (Average: $14,000)
FIGHTING FATHER DUNNE (RKO Radio) — PARAMOUNT (2,446) (12c-50c). Gross: $6,500. (Average: $5,900)
SCUDDA-HOO! SCUDDA-HAY! (20th-Fox)—FOX (4,446) (12c-50c). Gross: $14,500. (Average: $14,000)
UNCONQUERED (Para.)—ROXY (2,446) (12c-50c). Gross: $6,100. (Average: $5,800)

CLEVELAND

With the Metropolitan Opera playing to more than 75,000, and other heavy competition, it is taking strong entertainment to bring 'em to film houses. "Dr. I. Q.," on Monday only, helped swell the Palace coffers to $24,000, with "Fort Apache" on the screen. Warners' "Hip" had a big $20,000 week with "Iron Curtain" and is holding it for a second week. Estimated receipts for the week ending May 18-19:

ARCH OF TRIUMPH (UA)—LOEW'S STATE (3,300) (50c-70c). Gross: $19,500. (Average: $19,500)
B. F.'s DAUGHTER (M-G-M)—LOEW'S OHIO (1,268) (50c-70c) 2nd week, on a moveover from the State. Gross: $5,500. (Average: $6,600)
THE IRON CURTAIN (20th-Fox)—WARNERS' HIPPODROME (3,500) (55c-70c). Gross: $20,000. (Average: $18,250)
FORT APACHE (RKO Radio)—RKO PALACE (3,300) (55c-70c). On stage, Monday only, "Dr. I. Q." Gross: $24,000. (Average: $15,500)
MARK OF ZORRO (20th-Fox) and DRUMS ALONG THE MOHAWK (20th-Fox)—WARNER'S LAKE (714) (55c-70c). Gross: $3,000. (Average: $3,000)
MOURNING BECOMES ELECTRA (RKO Radio)—LOWER MALL (563) (75c-$1.25). Gross: $4,000. (Average at regular 50c-70c scale is $2,500)
THE NOOSE HANGS HIGH (E-L)—RKO ALLEN (3,000) (55c-70c). Gross: $12,500. (Average: $13,000)
STATE OF THE UNION (M-G-M)—LOEW'S STILLMAN (1,900) (50c-70c) 3rd week, 2nd week at Stillman after one week at the State. Gross: $8,500. (Average: $10,000)

BALTIMORE

First break in spring weather is not helping first-runs, although several strong attractions are on hand. Openings were marred by rain. Estimated receipts for the week ending May 20:

ALL MY SONS (U-I)—KEITH'S (2,406) (25c-37c-44c-54c, and 56c weekends). Gross: $12,500. (Average: $12,000)
DUEL IN THE SUN (SRO)—CENTURY (3,000) (1st time here at popular prices: 29c-37c-45c-54c, and 56c weekends). Gross: $15,000. (Average: $14,500)
ENCHANTED VALLEY (E-L)—MAYFAIR (1,000) (21c-29c-54c). Gross: $6,250. (Average: $5,000)
FORT APACHE (RKO Radio)—TOWN (1,450) (29c-37c-56c) 2nd week. Gross: $10,000. (Average: $10,500)
MATING OF MILLIE (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c). With a stage show. Gross: $19,200. (Average: $17,000)
PRIVATE LIFE OF HENRY VIII (Film Classics)—LITTLE (328) (1st time here at regular prices: 29c-37c-56c). Gross: $4,250. (Average: $3,000)
STATE OF THE UNION (M-G-M)—VALENCIA (1,466) (29c-37c-45c-54c, and 56c weekends) 3rd week. Gross: $8,000. (Average: $5,000)
THE FIGHTING 69TH (WB Reissue)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $10,000. (Average: $14,500)
THE IRON CURTAIN (20th-Fox)—NEW (1,800) (29c-40c-50c-56c). Gross: $12,250. (Average: $11,750)

TORONTO

A steady tone prevailed at most first-runs, although baseball and other outdoor activities are getting into their seasonal stride. Estimated receipts for the week ending May 20:

ALL MY SONS (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $12,000. (Average: $11,600)
THE BIG CLOCK (Para.)—SHEA'S (2,480) (20c-36c-48c-66c-90c) 6 days, 2nd week. Gross: $16,100. (Average: $14,900)
DUEL IN THE SUN (Selznick)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days, 2nd week. Gross: $14,700. (Average: $14,200)
I REMEMBER MAMA (RKO Radio)—EGLINTON (1,086) (20c-30c-36c-48c-66c) 6 days. Gross: $7,000. (Average: $7,400)
I REMEMBER MAMA (RKO Radio)—TIVOLI (1,434) (20c-30c-36c-48c-66c) 6 days. Gross: $9,000. (Average: $9,200)
THE IRON CURTAIN (20th-Fox)—IMPERIAL (3,343) (20c-36c-48c-66c-90c) 6 days. Gross: $16,600. (Average: $14,600)
SITTING PRETTY (20th-Fox)—NORTOWN (950) (20c-36c-42c-60c) 6 days, 9th week. Gross: $3,800. (Average: $6,500)
SITTING PRETTY (20th-Fox) — VICORIA (1,240) (20c-36c-42c-60c) 6 days, 9th week. Gross: $3,800. (Average: $6,300)
THE WOMAN IN THE HALL (E-L)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $6,000. (Average: $6,500)
THE WOMAN IN THE HALL (E-L)—FAIRLAWN (1,195) (20c-30c-40c-50c-55c) 6 days. Gross: $5,500. (Average: $5,500)

Gross Reports from Field

(*Continued from page* 1)

big factor in the decline, particularly in view of the absence of other reliable explanations of it.

It is conceded that the public still is shopping for its entertainment, perhaps with increasing discrimination. However, the increased patronage won by the better pictures is offset by the high production costs.

Appearing most often as the box-office leader last month was "The Naked City." A close second was "I Remember Mama," followed by "Sitting Pretty." Leaders in a substantial number of situations were: "Gentleman's Agreement," "The Big Clock," "Unconquered" and "Fort Apache."

Others turning in better-than-average grosses in a number of situations were: "Miracle of the Bells," "April Showers," "A Double Life," "Casbah," "Duel in the Sun," "The Bishop's Wife," "An Ideal Husband," "You Were Meant for Me," "Sign of the Ram."

Also, "To the Victor," "Relentless," "Alias A Gentleman," "Beauty and the Beast," "Albuquerque," "The Bride Goes Wild," "The Smugglers," "The Noose Hangs High," "Strawberry Roan," "Design for Death," "Scudda Hoo! Scudda Hay!", "A Woman's Vengeance," "The Voice of the Turtle," "Winter Meeting," "Tenth Avenue Angel," "Saigon" and "Intrigue."

Composite key city box-office reports for 1948 to date, compared with corresponding weeks of 1947, follow:

1948 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 2-3	179	$3,406,600	$19,031
Jan. 9-10	168	3,112,700	18,528
Jan. 16-17	168	2,473,300	14,722
Jan. 23-24	166	2,419,000	14,572
Jan. 30-31	166	2,341,900	14,108
Feb. 6-7	167	2,537,800	15,196
Feb. 13-14	166	2,381,500	14,546
Feb. 20-21	164	2,316,500	14,125
Feb. 27-28	167	2,734,100	16,372
Mar. 5-6	165	2,372,700	14,380
Mar. 12-13	165	2,441,800	14,799
Mar. 19-20	175	2,626,800	15,010
Mar. 26-27	162	2,356,800	14,548
April 2-3	171	2,953,500	17,272
April 9-10	169	2,740,000	16,213
April 16-17	175	2,493,600	14,249
April 23-24	167	2,284,000	13,677
April 30-May 1	159	2,232,300	14,040

1947 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 3-4	167	$3,678,100	$22,024
Jan. 10-11	173	3,363,200	19,400
Jan. 17-18	173	3,007,300	17,383
Jan. 24-25	176	3,043,700	17,294
Jan. 31-Feb. 1	181	2,293,600	18,197
Feb. 7-8	177	3,089,600	17,495
Feb. 14-15	177	2,767,900	15,638
Feb. 21-22	182	3,042,700	16,718
Feb. 28-Mar. 1	166	2,800,300	16,869
Mar. 7-8	178	2,906,400	16,328
Mar. 14-15	174	2,890,300	16,610
Mar. 21-22	173	2,922,900	16,895
Mar. 28-29	178	3,069,500	17,245
April 4-5	179	2,838,800	15,859
April 11-12	184	2,239,500	17,606
April 18-19	177	2,973,400	16,798
April 25-26	183	2,917,900	15,945
May 2-3	177	2,699,800	15,253

CINCINNATI

"Fort Apache" is a splendid grosser at the RKO Albee, and is leading the field by a wide margin, although other releases are satisfactory. Estimated receipts for the week ended May 18:

DUEL IN THE SUN (SRO)—LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Grand. Gross: $5,500. (Average: $5,000)
FORT APACHE (RKO Radio)—RKO ALBEE (3,300) (50c - 55c - 60c-65c-70c-75c). Gross: $20,000. (Average: $15,000)
THE IRON CURTAIN (20th-Fox)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c). Gross: $15,000. (Average: $15,000)
THE MIRACLE OF THE BELLS (RKO Radio)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 2nd week, on a moveover from the Palace. Gross: $5,000. (Average: $5,000)
THE NOOSE HANGS HIGH (E-L)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c). Gross: $9,000. (Average: $8,000)
THE SMUGGLERS (E-L)—KEITH'S (1,500) (50c-55c-60c-65c-75c). Dualed with **THE COBRA STRIKES (E-L).** Gross: $6,500. (Average: $7,500)
STATE OF THE UNION (M-G-M)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 3rd week. Gross: $7,500. (Average: $10,000)

INDIANAPOLIS

Business is slow at most first-run houses here. Fine weather and crowds at the Speedway for trials preceding the 500-mile Memorial Day race are largely responsible. Estimated receipts for the week ending May 18-19:

ARCH OF TRIUMPH (UA)—LOEW'S (2,450) (44c-65c). Gross: $10,000. (Average: $11,000)
CARY AND THE BISHOP'S WIFE (RKO Radio)—KEITH'S (1,300) (44c-65c). On a moveover from the Circle. Gross: $5,000. (Average: $4,500)
THE IRON CURTAIN (20th-Fox)—INDIANA (3,200) (44c-65c). Gross: $11,500. (Average: $12,000)
THE SMUGGLERS (E-L) and LOUISIANA (Mono.)—LYRIC (1,600) (44c-65c). Gross: $5,000. (Average: $6,000)
WINTER MEETING (WB) and THE FIGHTING 69TH (WB)—CIRCLE (2,800) (44c-56c). Gross: $9,000. (Average: $10,000)

'Time' Opens May 27

"The Time of Your Life" will open at the Mayfair Theatre here Thursday morning, May 27.

FIVE-STAR
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LOS ANGELES
11 hours, 10 minutes
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CHICAGO
3¼ hours

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AMERICAN AIRLINES

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	S.R.O.	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
Mar. 21	ADVENTURES IN SILVERADO William Bishop O WEST OF SENORA Charles Starrett O	THE ENCHANTED VALLEY (Color) Alan Curtis (Rev. 3/26/48)	(Mar. Releases) THREE DARING DAUGHTERS (Color) Jeanette MacDonald MC—115 min. (817) (Rev. 2/13/48)	DOCKS OF NEW ORLEANS D—64 min. (4712) (Rev. 3/18/48)	MR. RECKLESS William Eythe D—66 min. (4712) (Rev. 3/3/48)	BILL AND COO (Color) D—61 min. (Rev. 12/26/47) LIGHTNIN' IN THE FOREST Lynne Roberts D—58 min. (Rev. 4/16/48)	(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (868) (Rev. 3/9/48)		(Mar. Releases) GENTLEMAN'S AGREEMENT Gregory Peck Dorothy McGuire D—118 min. (806) (Rev. 11/10/47		(March-April Releases) A DOUBLE LIFE Ronald Colman Signe Hasso D—104 min. (650) (Rev. 12/24/47)	
Mar. 28	SONG OF IDAHO Kirby Grant O THE SIGN OF THE RAM Susan Peters D—84 min. (Rev. 2/2/48)	RUTHLESS Zachary Scott D—104 min. (Rev. 4/6/48)	ALIAS A GENTLEMAN Wallace Beery C—76 min. (818) (Rev. 2/4/48)	(Allied Artists) THE HUNTED Bella Preston Foster D—85 min. (AA5) (Rev. 2/4/48)		CALIFORNIA FIREBRAND (Color) Monte Hale O—63 min. (Rev. 4/21/48)	THE MIRACLE OF THE BELLS Fred MacMurray Frank Sinatra Valli D—126 min. (869) (Rev. 3/2/48)		(Wurtzel) HALF PAST MIDNIGHT Kent Taylor D—69 min. (808) (Rev. 2/19/48)	(April Releases) (Enterprise) ARCH OF TRIUMPH Ingrid Bergman Charles Boyer D—120 min. (Rev. 2/18/48)	THE NAKED CITY Barry Fitzgerald Dorothy Hart D—96 min. (651) (Rev. 1/21/48)	APRIL SHOWERS Jack Carson Ann Sothern D—94 min. (719) (Rev. 3/10/48)
Apr. 4	MY DOG RUSTY Ted Donaldson D	THE HAWK OF POWDER RIVER Eddie Dean O—54 min. (856) (Rev. 3/11/48)	THE BRIDE GOES WILD Van Johnson June Allyson C—98 min. (819) (Rev. 2/26/48)		UNCONQUERED (Color) Gary Cooper Paulette Goddard D—146 min. (4705) (Rev. 9/25/47)		FORT APACHE John Wayne Henry Fonda D—127 min. (870) (Rev. 3/10/48)		AN IDEAL HUSBAND (Color) Paulette Goddard D—96 min. (809) (Rev. 1/12/48)	HERE COMES TROUBLE William Tracy Larry Olson C—55 min. (Rev. 4/16/48)	JASSY (Color) Margaret Lockwood Dennis Price D—96 min. (Rev. 2/5/48)	
Apr. 11	PORT SAID Gloria Henry O	THE NOOSE HANGS HIGH Budd Abbott Lou Costello C—77 min. (Rev. 4/1/48)	(Apr. Releases) B. F.'s DAUGHTER Barbara Stanwyck Van Heflin D—108 min. (Rev. 2/17/48)	CROSSED TRAILS Johnny Mack Brown O—53 min. (Rev. 4/28/48)	BIG CLOCK Ray Milland D—95 min. (4713) (Rev. 2/16/48)		BEST OF THE BADMEN Randolph Scott Robert Ryan O—(817)	DUEL IN THE SUN (Color) Jennifer Jones Gregory Peck Joseph Cotten D—132 min. (103) (Rev. 12/31/46)	(April Releases) SITTING PRETTY Robert Young Maureen O'Hara C—84 min. (810) (Rev. 2/24/48)	WHO KILLED DOC ROBIN George Zucco Virginia Grey C—55 min. (Rev. 5/11/48)	(April-May Releases) BLACK BART (Color) Yvonne de Carlo Dan Duryea D—80 min. (Rev. 1/29/48)	TO THE VICTOR Dennis Morgan D—99 min. (720) (Rev. 3/30/48)
Apr. 18	THE MATING OF MILLIE Glenn Ford Evelyn Keyes C—87 min. (Rev. 3/9/48)	THE COBRA STRIKES Sheila Ryan D	STATE OF THE UNION Spencer Tracy Katharine Hepburn D—124 min. (Rev. 3/24/48)	CAMPUS SLEUTH Freddie Stewart C—57 min. (Rev. 5/7/48)		HEART OF VIRGINIA Janet Martin D—60 min. (Rev. 5/3/48)	WESTERN HERITAGE Tim Holt Nan Leslie O—61 min. (Rev. 1/30/48)	(Reissue) INTERMEZZO Ingrid Bergman D—67 min. (302) (Rev. 9/29/34)	SITTING PRETTY Robert Young Maureen O'Hara C—84 min. (810) (Rev. 2/24/48)	SILENT CONFLICT William Boyd O—61 min. (Rev. 4/6/48)		
Apr. 25			TARZAN'S SECRET TREASURE (Reprint) Johnny Weismuller O—81 min. (Rev. 11/14/41)	FRENCH LEAVE Jackie Cooper Jackie Coogan C—60 min. (Rev. 4/28/48)	THE SAINTED SISTERS Veronica Lake D—89 min. (4714) (Rev. 3/8/48)	OLD LOS ANGELES William Elliott O	(Block 3) IF YOU KNEW SUSIE Eddie Cantor Joan Davis C—90 min. (Rev. 1/30/48)		SCUDDA HOO, SCUDDA HAY (Color) Lon McCallister D—95 min. (811) (Rev. 3/3/48)	KINGS OF THE OLYMPICS (Sport Feature) (Rev. 1/19/48)	CASBAH Tony Martin Yvonne de Carlo D—84 min. (Rev. 3/3/48)	WINTER MEETING Bette Davis James Davis D—101 min. (721) (Rev. 4/7/48)
May 2	BEST MAN WINS Edgar Buchanan C	OPEN SECRET John Ireland Jane Randolph D—70 min. (813) (Rev. 1/16/48)	TARZAN'S NEW YORK ADVENTURE (Reprint) Johnny Weismuller D—71 min. (Rev. 4/15/42)	(Allied Artists) SMART WOMAN Constance Bennett Brian Aherne D—93 min. (Rev. 3/9/48)		UNDER CALIFORNIA SKIES Roy Rogers O—70 min. (Rev. 5/10/48)	THE ARIZONA RANGER Tim Holt O—68 min. (Rev. 3/25/48)		MEET ME AT DAWN William Eythe (C—81 min. (812) (Rev. 3/18/48)	MEET ME AT DAWN William Eythe (C—81 min. (812) (Rev. 3/18/48)	ARE YOU WITH IT? Donald O'Connor Martha Stewart C—90 mi. (Rev. 3/17/48)	(Reissue) VALLEY OF THE GIANTS Wayne Morris Claire Trevor D—78 min. (722) (Rev. 9/12/38)
May 9	WHIRLWIND RAIDERS O TRAPPED BY BOSTON BLACKIE D—67 min. (Rev. 4/27/48)	PRAIRIE OUTLAWS Eddie Dean O	(May Releases) HOMECOMING Clark Gable Lana Turner D—113 min. (Rev. 4/5/48)	PARTNERS OF THE SUNSET Jimmy Wakely O—58 min. (4807)	SPEED TO SPARE Richard Arlen D—57 min. (4715) (Rev. 2/24/48)	KING OF THE GAMBLERS William Wright D CARSON CITY RAIDERS "Rocky" Lane Eddy Waller O	(Block 5) BERLIN EXPRESS Robert Ryan Merle Oberon D—86 min (816) (Rev. 4/6/48)		(May Releases) ARTHUR TAKES OVER Lois Collier Jerome Cowan D—63 min. (Rev. 4/5/48)	FOUR FACES WEST Joel McCrea Frances Dee D—90 min. (Rev. 5/14/48)	DEAR MURDERER Eric Portman Greta Gynt D—84 min. (Rev. 6/20/47)	(Reissue) FIGHTING 69th James Cagney Pat O'Brien D—79 min. (723) (Rev. 1/5/40)
May 16	THE LADY FROM SHANGHAI Rita Hayworth Orson Welles D—87 min. (Rev. 4/15/48)	ASSIGNED TO DANGER Gene Raymond Noreen Nash D—65 min. (Rev. 5/3/48)	SUMMER HOLIDAY (Color) Mickey Rooney Gloria Henry C—92 min. (Rev. 3/16/48)	FRONTIER AGENT Johnny Mack Brown O—56 min. (4756)		THE BOLD FRONTIERSMAN Allan "Rocky" Lane O—60 min. (Rev. 4/28/48)	FIGHTING FATHER DUNNE Pat O'Brien D—(816) (Rev. 5/13/48)		13 LEAD SOLDIERS Tom Conway D	THE TIME OF YOUR LIFE James Cagney William Bendix D	ALL MY SONS Edward G. Robinson Burt Lancaster Howard Duff D—93 min. (Rev. 2/19/48)	WOMAN IN WHITE Eleanor Parker Alexis Smith D—109 min. (724) (Rev. 4/20/48)
May 23		RAW DEAL Dennis O'Keefe Claire Trevor D		I WOULDN'T BE IN YOUR SHOES Don Castle Elysee Knox D—72 min. (4716) (Rev. 5/3/48)	HAZARD Paulette Goddard Macdonald Carey C—95 min. (Rev. 3/26/48)	I, JANE DOE Vera Ralston Ruth Hussey D—85 min. (Rev. 5/17/48)	RETURN OF THE BADMEN Randolph Scott Robert Ryan O—(817)		THE IRON CURTAIN Dana Andrews Gene Tierney D—89 min. (Rev. 5/7/48)			SILVER RIVER Errol Flynn Ann Sheridan D—108 min. (Rev. 5/4/48)
May 30				(Allied Artists) THE DUDE GOES WEST Eddie Albert Gale Storm C—87 min. (AA8)			GUNS OF HATE Tim Holt O—(819)		ANNA KARENINA Vivien Leigh Ralph Richardson D—110 min. (Rev. 4/18/48)			
							(Reissue) BRING 'EM BACK ALIVE Frank Buck D—65 min. (815) Rev. 3/25/32					

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]

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MOTION PICTURE DAILY

Accurate Concise and Impartial

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AFL's 'H-63' Invades CIO's SOPEG Ranks

Taft Law, 'Red' Issue Cited by UA 'Majority'

First invasion of Screen Office and Professional Employes Guild (CIO) territory by the IATSE (AFL) occurred here yesterday when an "overwhelming majority" of the 140 United Artists home office members of SOPEG renounced that affiliation and placed their collective bargaining future in the hands of the "IA" Motion Picture Home Office Employes Local No. H-63.

The employes, who signed a contract with H-63 business agent Russell Moss following a one-hour meeting at his office, immediately notified the company that they were no longer represented by SOPEG and called for UA to file with the National Labor Relations Board a petition for a new shop election. The unit's SOPEG contract will expire May 31.

A spokesman for the majority group said the switch was made for

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See FCC Video Test In Para. Application

WASHINGTON, May 19. — Paramount's Gulf Theatres, Inc., has asked the Federal Communications Commission to grant it a television license for Tampa, Fla., bringing to six the number of television stations owned or being sought by firms which Paramount admits it controls.

Observers believe Paramount means to use the Gulf Theatres application to challenge the FCC's ruling limiting to five the number of television stations which one firm can own or control. The FCC could turn the Gulf

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Telecasters Get 23 Demands from '4A's'

Telecasters here have under consideration 23 proposals presented by a committee of the Associated Actors and Artistes of America in negotiations for the first contract bearing on hours, wages and conditions of employment for video talent.

The AAAA seeks a collective bargaining agreement with the four ma-

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Pettijohn Is Dead At 67

INDIANAPOLIS, May 19.—Charles C. Pettijohn, 67, former general counsel for the Motion Picture Producers and Distributors of America (predecessor of the Motion Picture Association of America), died at St. Vincent's Hospital here today. He entered the hospital last night suffering a cerebral hemorrhage, having come here from his home in Harrison, N. Y., April 27, to place himself under the care of his brother, Dr. B. B. Pettijohn.

C. C. Pettijohn

Pettijohn joined the legal staff of the MPPDA under Will H. Hays in

(Continued on page 2)

MPAA Puts Stress On Shorts Series

Plans for an industry-wide trailer on future productions have been dropped by the advertising-publicity directors committee of the Motion Picture Association of America in favor of the "Industry Film Series" now under production under the auspices of the Academy of Motion Picture Arts and Sciences in cooperation with the MPAA.

Maurice Bergman, chairman of the committee, further disclosed here yesterday that the committee also had tabled a plan calling for the preparation of an over-all production story for radio broadcasts. As a substitute, the companies will make available to

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112 Films Added to Children's Library

Motion Picture Association of America yesterday listed 112 additional features which have been approved for children's matinees and will be made available to the 2,500 theatres now subscribing to the Children's Film Library of the association. Arthur DeBra, director of the MPAA's department of Community Relations, and his associate, Mrs. Marjorie G. Dawson, who is chair-

(Continued on page 2)

Atlas Delivers RKO Shares to Hughes

Howard Hughes yesterday came into formal possession of the block of 929,020 shares of RKO common stock purchased by him from the Atlas Corp. to give him working control of the film company. The stock changed hands at the offices of the First National Bank of Jersey City.

25 Named in Indiana Treble-damage Suit

INDIANAPOLIS, May 19.—Affiliated Theatres, Inc., of this city: Citizen's Theatre Co., Brazil, Ind., and 23 producer and distributing companies were named in a $381,000 treble-damage suit filed in Federal Court at Terre Haute today by Fred V. and Eva M. Willey, owners of the Fox Theatre in Brazil The suit was brought under the Sherman and Clayton Anti-Trust laws.

Plaintiffs charge that their inability to get current pictures forced them to close their theatre in 1946 and sell their equipment. The complaint seeks treble damages, attorney's fees, court costs and an injunction to restrain the defendants "from continuing monopolistic practices."

Renewed Probe of Coast Strife Off

WASHINGTON, May 19.—Resumption of the House Labor sub-committee's hearings on the Hollywood jurisdictional dispute, originally set for May 25, has been indefinitely postponed due to the inability of star witness Westbrook Pegler to appear at that time.

While sub-committee Chairman

(Continued on page 3)

Voeller Heads Idaho Exhibitors Unit

BOISE, Ida., May 19.—C. C. Voeller of Buhl has been elected president of the Idaho Theatres Association, succeeding Hugo Jorgensen of Rigby. Others elected were: Fulton Cook, St. Maries, vice-president; Harry Gordon, Boise, secretary, and Lawrence Nelson, Jerome, treasurer.

The association has been discussing membership in the Pacific Coast Conference of Independent Theatre Owners.

Demands for Clearance Cuts Swamp Offices

Exhibitors Also Asking New Runs; Cite Decision

Home offices of some distribution companies are being swamped with exhibitor demands for clearance reductions and better runs as a direct consequence of the recent Supreme Court decision in the Paramount, Schine and Griffith cases, it was learned here yesterday.

Branch offices around the country are getting their full share of the demands, too, it was learned, and are forwarding them to home offices with increasingly urgent requests for guidance in replying to the demands.

Few company lawyers have yet progressed sufficiently with their study and interpretation of the deci-

(Continued on page 3)

So. Cal. ITO Hails High Court Ruling

HOLLYWOOD, May 19.—The U. S. Supreme Court decision in the Paramount anti-trust case brings "new freedom of competition and freedom from restraint, discrimination and monopoly finally to the independent exhibitor," declared Fred A. Weller, general counsel of the Independent Theatre Owners of Southern California and Arizona, in a report on the decision to board members.

"The task of seeing to it that this bill of rights for the industry becomes and remains vital and effective is primarily that of independent exhibitors and their organizations," Weller declared, adding: "Wherever

(Continued on page 3)

UTA Told of Need For 'Strong' Groups

SALT LAKE CITY, May 19.—The need for strong state, regional and national theatre owner groups was stressed by speakers at a special meeting of the Utah Theatres Association held at Orem, Utah.

Speakers included Tracy Barham, vice-president and general manager of Intermountain Theatres, who also

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Personal Mention

STANTON GRIFFIS, U. S. Ambassador to Poland and chairman of Paramount's executive committee, will return to New York today from Europe on the *SS Queen Mary*. Other passengers include JERRY DALE, advertising-publicity director for the J. Arthur Rank Organization here; MAE WEST and HARRY GREEN, screen star.

•

PAUL MACNAMARA, public relations chief for David O. Selznick Enterprises, and MRS. MACNAMARA yesterday became parents of their first child, a son, born in Good Samaritan Hospital, Los Angeles.

•

WILLIAM A. SCULLY, Universal-International distribution vice-president, and MAURICE BERGMAN, Eastern advertising-publicity director, will leave here for England on July 1.

•

CHARLES REAGAN, Paramount distribution vice-president, TED O'SHEA and AL SCHWALBERG returned here yesterday from a three-day divisional sales meeting in Philadelphia.

•

HUGH OWEN, Paramount Eastern and Southern divisional sales manager, who is at the Jacksonville exchange, will visit the Charlotte exchange on Saturday and Sunday.

•

JACK BYRNE, M-G-M Eastern division sales manager, and HERMAN RIPPS, M-G-M district manager, will leave Boston today for their return to New York.

•

NED DEPINET, RKO Radio distribution vice-president, is due to return to New York from the Coast over the weekend.

•

BLANCHE LIVINGSTON, in charge of publicity for RKO out-of-town theatres, will fly to New Orleans this weekend from New York.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, returned to New York yesterday from Nashville.

•

DAVID O. SELZNICK is scheduled to leave for the Coast over the weekend after several months in New York.

•

MAURY GOLDSTEIN, Monogram general sales manager, is due back in New York today from Boston.

•

E. Z. WALTERS, Altec Service comptroller, is in town from the Coast.

Ontario Imposes 20% Levy; Expect Others

OTTAWA, May 19.—Although theatre admission prices in some regions were reported today to be dropping, especially in Quebec and Nova Scotia, following withdrawal of the Canadian government's 20 per cent amusement tax, Ontario has already imposed a similar tax, and other provinces, including British Columbia and Manitoba, are expected to do the same.

Fifth-Walnut Owner Charges 'Freeze-Out'

Harold Janicky, co-owner of Fifth and Walnut Amusement Co., testified under questioning by company attorney Monroe E. Stein in U. S. District Court here yesterday that Fifth and Walnut's National Theatre in Louisville was "ideally located" for first-run pictures, and that it had been "frozen out" of first-run by the distributor defendants in the $2,100,000 triple-damage anti-trust suit brought by Fifth and Walnut.

Janicky will resume the stand today, fourth day of the trial before Federal Judge Vincent L. Leibel and a 12-man jury.

New Sales Record Is Set by 20th-Fox

A new all-time company record for volume of feature sales to theatre accounts during the first 18 weeks of this year has been set by the 20th Century-Fox domestic sales organization, A. W. Smith, general sales manager, reported yesterday.

The 31 company branches in the United States and six in Canada surpassed by 52 per cent the volume of contracts negotiated the same period in 1947. Also, they topped the previous all-time record, established in the first 18 weeks of 1946. The company did not disclose the number of sales accounts for periods mentioned.

'Iron Curtain' Gets 'Plug' from Rankin

WASHINGTON, May 19.—"The Iron Curtain," 20th Century-Fox, got several "plugs" today on the House floor from Rep. Rankin.

During a debate on the Un-American Activities Committee's bill to virtually outlaw the Communist Party as presently constituted, Rankin repeatedly urged colleagues to see the film and "then you'll understand why we need this bill." The House passed the bill by a 319-58 vote late today.

MPAA Puts Stress

(*Continued from page* 1)

all exhibitors radio platters pointing up current pictures.

Bergman explained that "after learning that these short subjects (in the Industry Film Series) are being previewed by all exhibitor groups, including the Theatre Owners of America, Allied States and the Pacific Coast Conference of Independent Theatre Owners, the committee felt that it could not be guided by better professional reactions."

Children's Library

(*Continued from page* 1)

man of the library committee, report that these films are the first to supplement the 50 productions which are already in the library.

These pictures are available for children's programs after they have completed regular local bookings. Exhibitors applying for them must show they have played 80 per cent of the regular library subjects to date.

Wilcox, Hargrave Of EK Reelected

ROCHESTER, N. Y., May 19.—Perley S. Wilcox and Thomas Hargrave have been reelected board chairman and president, respectively, of Eastman Kodak. Also reelected were the following: Albert K. Chapman, vice-president and general manager; Dr. C. E. Kenneth Mees, Charles K. Flint, Adolph Stuber, Myron J. Hayes, Ivar N. Hultman, Edward S. Farrow, James E. McGhee, Edward P. Curtis and Donald McMaster, vice-presidents; I. L. Houley, assistant vice-president; Marion B. Folsom, treasurer; Archbold H. Robinson, David H. Fulton and J. Donald Fewster, assistant treasurers; Milton K. Robinson, secretary; William F. Shepard and Harmar Brereton, assistant secretaries; Cornelius J. Van Niel, general comptroller; Thomas J. McCarrick, assistant comptroller.

A quarterly dividend of 35 cents a share has been declared on the company's common stock; the dividend is the same as the previous one. Regular dividend on the preferred stock, $1.50 a share, was also declared. Both are payable July 1 to stockholders of record on June 5.

Haines Will Hold Meeting in 'Frisco

SAN FRANCISCO, May 19.—Roy Haines, Warner Brothers' Western division sales manager, will preside over a two-day meeting of the company's West Coast sales force at the Mark Hopkins Hotel here Friday and Saturday.

Attending will be Henry Herbel, district manager, and branch managers E. A. Bell, Denver; Fred Greenberg, Los Angeles; Al Oxtoby, Portland; Wm. F. Gordon, Salt Lake City; Al Shmitken, San Francisco; Vete Stewart, Seattle.

Actors' Fund Meeting

A motion picture of the home for the aged and Country Home Hospital maintained on the Coast by the Motion Picture Relief Fund will be shown tomorrow at a meeting of the Actors' Fund of America at the Coronet Theatre here. Jean Hersholt, president of MPRF, who has been conferring here with Walter Vincent, president of the Actors' Fund, and other trustees on plans for a joint fair to be conducted in New York in November, will explain the activities of MPRF at tomorrow's meeting. Other speakers will be Louis Calhern and former New Jersey governor Harold G. Hoffman.

Morris Abrahams, 81

Morris Abrahams, 81, father of Phil Abrahams, head of the Warner print department here, died at his home yesterday. Funeral services will be held today at Park West Memorial Chapel.

Joseph Anthony, 64

CHICAGO, May 19.—Joseph Anthony, 64, assistant manager of Balaban and Katz's Apollo Theatre, died of a heart attack last night while on duty in the theatre.

C. C. Pettijohn

(*Continued from page* 1)

1922 and was appointed general counsel in 1924. He resigned on March 5, 1942, to enter retirement after 20 years' service in the organization. During his MPPDA career he led numerous distributor and exhibitor fights against threatened adverse legislation in cities, states and in Congress. He set up and supervised for many years the old Film Board of Trade located in key cities.

Born in Indianapolis in 1881, Pettijohn started to practice law there in 1903 following his graduation from Indiana University. His first contact with the industry came with his appointment in 1916 as legal adviser for the old American Exhibitors' Association. He held that post until 1922 when Hays invited him to join the MPPDA.

Survivors, in addition to Dr. Pettijohn, include the widow, the former Helen Irene Lynch, silent film actress; two sons, Bruce David and Charles C., Jr., the latter a one-time member of the Production Code Administration staff in Hollywood, and a daughter, Mrs. Gertrude Frary.

Funeral services will be held on Friday at St. Peter and Paul Cathedral here. Interment will take place at Crown Hill Cemetery, Indianapolis.

MPAA Staff Mourns Pettijohn

"Members of the staff of the Motion Picture Association of America," MPAA vice-president Francis Harmon said here yesterday, "received the news of the death of Charles C. Pettijohn while they were holding a regular staff conference this afternoon. The older members of the staff who had been associated with Pettijohn over a period of years reviewed the long history of Pettijohn's accomplishments for the motion picture industry. They joined with me in lamenting the passing of a good fellow and democratic personality. Pettijohn will long be remembered by us for his infectious optimism and enthusiasm."

'Outstanding Leader': Skouras

Upon learning yesterday of the death of Charles C. Pettijohn, 20th Century-Fox president Spyros P. Skouras made the following statement: "In the passing of C. C. Pettijohn, I have experienced a great personal loss and the industry has lost one of its truly outstanding leaders. His constructive contribution to the motion picture industry, during his many years of association with it, cannot be estimated. He was a great friend of all of us, and his passing leaves a void in our midst."

Gradwell Sears Lauds Pettijohn

Gradwell L. Sears, president of United Artists, made the following statement yesterday upon the death of Charles C. Pettijohn: "Charlie Pettijohn helped nurse our industry through its swaddling-clothes period. Now, in its maturity, his guidance and counsel will be sorely missed."

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Video Trailers Set For Korda Films

Regular trailers will be used for the first time on television by the 16 stations which have bought exclusive local rights to 24 Alexander Korda films from WPIX, the *Daily News* television station here. Trailers are available for all of the films, Robert L. Coe, station manager said, and have been reduced to 16mm. by National Screen Service.

The films will be shown by WGN, Chicago; WBZ, Boston; WWJ, Detroit; WMAR, Baltimore; KSD, St. Louis; WFIL, Philadelphia; WTMJ, Milwaukee; WBEN, Buffalo; WMAL, Washington; KSTP, Minneapolis; KTLA, Los Angeles; WEWS, Cleveland; WBAP, Ft. Worth; WIHO, Dayton; WSB, Atlanta; WPIX, New York.

Video Trailer Made For 'Emperor Waltz'

HOLLYWOOD, May 19.—First television trailer made to publicize a Hollywood premiere has been produced by Paramount for telecasting over station KTLA here, in advance of the premiere of "The Emperor Waltz" at the Hollywood Paramount on May 26.

The 16mm. trailer includes scenes from the film and an announcement of the date and place of the opening.

See FCC Rule Test

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or other applications down for a reason other than the five-station rule, and it is considered possible that Paramount subsidiaries may submit additional applications in the near future to bring a clear-cut test of the five-station limit.

FCC Merges Video Hearings

WASHINGTON, May 19.—The FCC today ordered a 20th Century-Fox application for a San Francisco station consolidated for a hearing with hearings on a group of applications, including one from Paramount's Television Productions.

'4A's' Demands

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jor networks, and DuMont and the *New York Daily News*, covering New York studio organizations, remote telecasts by local stations and New York pickups outside of studios here.

The union demands a one-year contract providing for a union shop and a pay scale for performers in filmed telecasts based on rates in the existing Screen Actors Guild basic minimum agreement, with additional payments for "repeats." Fees sought for performers in "live" telecasts range from a minimum of $75, not including rehearsals, for a one hour and a half telecast to a minimum of $40 for a quarter-hour, with a minimum of $35 for any time under 15 minutes. The union wants $125 for staff announcers for a 40-hour, five-day week, and $150 or $200, depending on the type of sport, for sportscasters for each telecast. Among other demands is a 12-hour rest period between daily calls.

Kelvinator-Para. Deal

With a new series of one-minute spots produced on film for television, the Kelvinator division of Nash-Kelvinator Corp. will extend its television coverage over Paramount's KTLA, Los Angeles, and WBKB, Chicago.

Review

"Melody Time"

(*Walt Disney-RKO Radio*)

A HIGH-SPIRITED musical blend of fun and fantasy has been turned out by the seasoned hand of Walt Disney. As an animation and live-action feature production in Technicolor, "Melody Time" has assured appeal for audiences of all ages. The vehicle provides the exhibitor with a luxury of names for the marquee. Featured, either in person or with dubbed-in voices, are: Roy Rogers and Trigger, Dennis Day, The Andrews Sisters, Fred Waring and His Pennsylvanians, Freddy Martin, Frances Langford, Ethel Smith, Buddy Clark, Bob Nolan and the Sons of the Pioneers, The Dinning Sisters, Bobby Driscoll and Luana Patten.

In story structure, the film comprises seven tales: "Pecos Bill," a rare gem, is an outdoor action drama about a little boy who grew up with a family of coyote pups and became the toughest critter that ever rode a horse. Then one day, along comes Sluefoot Sue, bringing our hero to a mournful end. "Little Toot" is a delightful story of a mischievous little tugboat which gets into a lot of trouble outside New York harbor, but finally redeems itself. Another tale depicts the legend of Johnny Appleseed. "Bumble Boogie" interprets a bee's fantasy against a musical background of Rimsky-Korsakoff's "Flight of the Bumble Bee." Other chapters, all on an evenly high par of entertainment, are "Once Upon a Wintertime," "Trees" and "Blame It on the Samba."

Ben Sharpsteen was production supervisor. Cartoon directors were: Clyde Geronimi, Wilfred Jackson, Hamilton Luske, Jack Kinney. Story was written by Winston Hibler, Erdman Penner, Harry Reeves, Homer Brightman, Ken Anderson, Ted Sears, Joe Rinaldi, Art Scott, Bill Cottrell, Bob Moore, Jesse Marsh, John Walbridge, Hardie Gramatky. Musical direction was by Eliot Daniel and Den Darby.

Running time, 75 minutes. General audience classification. For July release.

MANDEL HERBSTMAN

'H-63' Invades

(*Continued from page* 1)

two reasons: (1) SOPEG's refusal to file with the NLRB an affidavit certifying as required by the Taft-Hartley Law, that none of its officers are Communists, has deprived the union of access to NLRB advantages, and (2) that SOPEG during the past two years has appeared more concerned with disseminating political propaganda than with advancing the cause of trade unionism.

The UA home office employes' action was spearheaded by a special committee of workers. The committee had asked Moss to establish an "IA" unit among the employes, and Moss set to work with the assistance of "IA" international organizer James Rogers whom "IA" international president Richard F. Walsh assigned to Moss when the latter informed him that the "invasion" was about to take place.

SOPEG has represented the UA home office employes for collective bargaining purposes since 1942 when the employes first organized. That union represents "white collar" workers at several other film company home offices here, except Warners, Universal, Pathe Laboratories, and a number of the newsreels, all of which are presented by AFL H-63.

Probe Postponed

(*Continued from page* 1)

Kearns said he definitely planned to continue the hearings when Pegler is available, other committee members and officials indicated there might never be any further hearings, and that Pegler's inabiilty to testify might be a convenient way for ending the proceedings. Committee Chairman Hartley and other Republican members have indicated their belief that the sub-committee's probe has already dragged on too long.

Hartley is also known to oppose any sub-committee trip to the West Coast, but Kearns is still hopeful of at least one member going there to take testimony.

3-Month Ascap Pacts Urged at ARMIT Meet

DENVER, May 19. — Allied Rocky Mountain Independent Theatres members were advised today to sign contracts for music licensing fees with the American Society of Composers, Authors and Publishers for only three months. The exhibitors' organization is holding its convention here.

The committee on candy, popcorn and theatre supplies will be continued, with buying to be made through the Denver Allied office, it was voted.

Clearance Demands

(*Continued from page* 1)

sions to provide the answers to their distribution departments. In consequence, even top sales executives are not in a position to advise their staffs on such matters with any degree of certainty.

Adding to the urgency of meeting, or at least replying to, some of the exhibitor demands is the new possibility of damage actions being instituted by exhibitors whose clearance-and-run status may suggest they have been or are being discriminated against, in relation to their competition. Failure to reply satisfactorily to their present demands might be used against the distributors involved in subsequent court actions, attorneys point out.

The Supreme Court found unreasonable clearance to be illegal and placed the burden of proof of reasonableness upon distributors. The decision also threw the matter of runs into complete uncertainty by seemingly ruling that any theatre can negotiate for any run it desires.

So. Cal. ITO

(*Continued from page* 1)

an independent theatre owner is still subjected to illegal clearance, to discrimination of any kind, or unfair tactics employed by those possessing circuit buying power, he must not hesitate to demand and obtain prompt corrective action."

P. A. Warner, Beall In New Manley Posts

KANSAS CITY, May 19.—P. A. Warner, Eastern and Southern division manager of Manley, Inc., has been named vice-president, and Ray Beall, Interstate Theatres advertising-publicity manager in Dallas, has been named his assistant, it was disclosed here today by Mrs. V. G. Manley, president of the company which markets popcorn machines and supplies to theatres and other places. Both will continue in Dallas.

Beall, who will also have charge of public relations when he takes over his new post on June 1, had been an Interstate executive for 18 years and was national advertising-publicity director of the third, fifth and Victory war loan drives, under L. C. Griffith, R. J. O'Donnell and Si H. Fabian, respectively. Warner will divide his time between the Dallas and New York office of Manley, which has 27 branches in the U. S., Canada and Mexico.

Edana Romney Guest At U-I, Rank Fete

Edana Romney, star, co-producer and author of the forthcoming "Corridor of Mirrors," which will be released in this country shortly under the Prestige Pictures banner of Universal-International, was honor guest yesterday at a Hampshire House reception held by U-I and the J. Arthur Rank Organization of America. Miss Romney is the wife of John Woolf, joint managing director of Rank's General Film Distributors.

Among industry executives present were: Nate J. Blumberg, Robert Benjamin, M. A. Schlessinger, Woolf, William A. Scully, Joseph H. Seidelman, Charles Prutzman, J. J. O'Connor, E. T. Gomersall, F. J. A. McCarthy, C. J. Feldman, Adolph Schimel, Maurice Bergman, David A. Lipton, Monroe Greenthal, Al Daff, Ben Cohen and Al Horwits.

Races, Cocktails, Banquet for SMPE

HOLLYWOOD, May 19.—Delegates to the Society of Motion Picture Engineers convention today journeyed to Hollywood Park Race Track to inspect workings of Thorobred Photo Service, Inc., which photographs horses in action and remained as the track's guests. Later they attended a cocktail party in the Santa Monica Ambassador, which was followed by the annual banquet.

Sessions will resume tomorrow.

UTA Told

(*Continued from page* 1)

appealed for wholehearted cooperation in the American Overseas Aid-United Nations Appeal for Children campaign; Bob Graham, Pacific Coast Conference of Independent Theatre Owners attorney, who spoke on the recent Supreme Court decision and also discussed Ascap; Sam. Gillette, Tooele exhibitor, who explained the present status of the Motion Picture Foundation; John Krier, Intermountain Theatres' purchasing agent; Victor A. Anderson, association secretary, who said fees will be kept low to induce all exhibitors to join the UTA, and Emil Ostlund, president.

New Co-At-Co Theatre

ATLANTA, May 19.—Co-At-Co Theatres has opened a new 900-seat house in Cornilia.

"THE IRON CURTAIN MAKING THE YEAR'S MOST SENSATIONAL HEADLINES IN THE NEWSPAPERS AND AT THE BOXOFFICES OF THE NATION!!!

. . . The biggest grosses in every size theatre in every size town

IN THE EAST! . . . NEW YORK—2nd day bigger than the 1st! 3rd day bigger than the 2nd! 4th day bigger than the 3rd! 5th day bigger than the 4th! . . . and building those big 20th grosses in PHILADELPHIA, BOSTON, WASHINGTON, D. C., BUFFALO, ALBANY, UTICA, SYRACUSE, READING, ROCHESTER, BRIDGEPORT, HARTFORD, NEW HAVEN and PORTLAND, ME.!

IN THE MIDWEST! . . . MILWAUKEE—150% over all other true-to-life record-breakers! . . . a sweeping triumph through DES MOINES, WATERLOO, SPRINGFIELD, INDIANAPOLIS, CINCINNATI, KANSAS CITY, EVANSVILLE and ST. LOUIS!

IN THE SOUTH! . . . Pacing the biggest 20th real-life triumphs in HOUSTON, MEMPHIS, RICHMOND, MIAMI, OKLAHOMA CITY and LITTLE ROCK!

ON THE PACIFIC COAST! . . . All up and down the western seaboard, long lines lead to "THE IRON CURTAIN," as LOS ANGELES, SAN FRANCISCO, LONG BEACH, PORTLAND, ORE., SAN DIEGO, SEATTLE and OAKLAND keep pace with the nation!

cture after picture, continue to be made by 20 *Century-Fox*

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

Business in most instances pepped up considerably, with "Iron Curtain" furnishing a strong leadership and "Miracle of the Bells" also tolling a substantial return. Attendance conditions were ideal. Estimated receipts for the week ended May 19:

I, JANE DOE (Rep.) and THE MAIN STREET KID (Rep.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 6 days. Gross: $7,000. (Average: $21,000)
I, JANE DOE (Rep.) and THE MAIN STREET KID (Rep.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 6 days. Gross: $5,000. (Average: $15,000)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—CARTHAY CIRCLE (1,516) (50c-60c-85c-$1.00). Gross: $12,500. (Average: $9,500)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—CHINESE (2,-500) (50c-60c-85c-$1.00). Gross: $17,500. (Average: $15,700)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00). Gross: $34,000. (Average: $21,700)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—LOYOLA (1,-265) (50c-60c-85c-$1.00). Gross: $12,000. (Average: $10,000)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—UPTOWN (1,-716) (50c-60c-85c-$1.00). Gross: $13,500. (Average: $10,800)
LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.)—GUILD (965) (50c-60c-85c-$1.00) 2nd week. Gross: $3,500. (Average: $7,100)
LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.)—IRIS (708) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $7,100)
LETTER FROM AN UNKNOWN WOMAN (UI-Rampart)—RITZ (1,376) (50c-60c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $10,300)
LETTER FROM AN UNKNOWN WOMAN (UI-Rampart)—STUDIO (880) (50c-60c-85c-$1.00) 2nd week. Gross: $5,000. (Average: $6,900)
LETTER FROM AN UNKNOWN WOMAN (UI-Rampart) and PORT SAID (Col.)—UNITED ARTISTS (2,100) (50c-60c-85c-$1.00) 2nd week. Gross: $6,200. (Average: $15,400)
THE MIRACLE OF THE BELLS (RKO-Radio)—HILLSTREET (2,700) (50c-60c-80c-$1.00). Gross: $18,000. (Average: $18,-300)
THE MIRACLE OF THE BELLS (RKO-Radio)—PANTAGES (2,000) (50c-60c-80c-$1.00). Gross: $18,000. (Average: $17,300)
THE NOOSE HANGS HIGH (E-L) and THE COBRA STRIKES (E-L)—BELMONT (1,600) (50c-60c-85c-$1.00). Gross: $6,000. (Average: $6,600)
THE NOOSE HANGS HIGH (E-L) and THE COBRA STRIKES (E-L)—EL REY (861) (50c-60c-85c-$1.00). Gross: $6,500. (Average: $7,000)
THE NOOSE HANGS HIGH (E-L) and THE COBRA STRIKES (E-L)—ORPHEUM (2,210) (50c-60c-85c-$1.00). Gross: $16,000. (Average: $14,300)
THE NOOSE HANGS HIGH (E-L) and THE COBRA STRIKES (E-L)—VOGUE (800) (50c-60c-85c-$1.00). Gross: $8,500. (Average: $7,500)
STATE OF THE UNION (M-G-M)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 3rd week. Gross: $9,000. (Average: $13,900)
STATE OF THE UNION (M-G-M)—FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00) 3rd week. Gross: $11,000. (Average: $13,-800)
STATE OF THE UNION (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 3rd week. Gross: $9,000. (Average: $21,-200)
WILL IT HAPPEN AGAIN? (Film Classics) and THE ARGYLE SECRETS (Film Classics)—MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00). Gross: $3,000. (Average: $4,300)
WILL IT HAPPEN AGAIN? (Film Classics) and THE ARGYLE SECRETS (Film Classics)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00). Gross: $6,000. (Average: $9,600)
WILL IT HAPPEN AGAIN? (Film Classics) and THE ARGYLE SECRETS (Film Classics)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00). Gross: $3,000. (Average: $5,200)
WILLI IT HAPPEN AGAIN? (Film Classics) and THE ARGYLE SECRETS (Film Classics)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00). Gross: $3,000. (Average: $4,300)
WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB)—WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 2nd week. Gross: $9,000. (Average: $16,300)
WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 2nd week. Gross: $8,000. (Average: $12,400)
WOMAN IN WHITE (WB) and ALWAYS TOGETHER (WB)—WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 2nd week. Gross: $7,500. (Average: $12,600)

PHILADELPHIA

Strong bookings helped boost grosses this week with "Homecoming" the box-office leader. Also pulling above - average figures are "Mourning Becomes Electra," "Arch of Triumph," "Iron Curtain" and "Lady from Shanghai." Estimated receipts for the week ending May 18-20:

ARCH OF TRIUMPH (UA)—BOYD (3,-000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $28,900. (Average: $23,100)
B. F.'S DAUGHTER (M-G-M)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $4,000. (Average: $6,000)
CASBAH (U-I)—MASTBAUM (4,700) (50c-60c-74c-80c-85c-94c). Gross: $23,600. (Average: $27,800)
HOMECOMING (M-G-M)—STANLEY (3,000) (50c-60c-74c-80c-85c-94c). Gross: $35,500. (Average: $20,500)
I REMEMBER MAMA (RKO Radio)—ERLANGER (1,800) (50c-60c-74c-80c-85c-94c) 6th week. Gross: $5,000. (Average: $18,-000)
IRON CURTAIN (20th-Fox)—FOX (3,-000) (50c-60c-74c-80c-85c-94c). Gross: $27,-000. (Average: $20,400)
THE LADY FROM SHANGHAI (Col.)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c). Gross: $17,000. (Average: $12,000)
MOURNING BECOMES ELECTRA (RKO-Radio)—ALDINE (900) (50c-60c-74c-80c-85c-94c). Gross: $16,200. (Average: $13,200)
SITTING PRETTY (20th-Fox)—KEITH (2,200) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $8,000. (Average: $6,100)
STATE OF THE UNION (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $21,000. (Average: $22,-400)
TO THE ENDS OF THE EARTH (Col.)—EARLE (3,000) (50c-60c-74c-80c-85c-94c) 2nd week. Gross: $21,500. (Average: $24,300)
VALLEY OF THE GIANTS and THE FIGHTING 69TH (WB Re-issues)—STANTON (1,000) (50c-60c-74c-80c-85c-94c). Gross: $9,500. (Average: $11,900)

Reviews

"Raw Deal"

(*Edward Small—Eagle-Lion*)

FIVE key figures in the making of "T-Men"—producer Edward Small, director Anthony Mann, scriptwriter John C. Higgins, star Dennis O'Keefe, and special effects photographer George J. Teague—have again combined their talents in the interest of lively melodrama. "Raw Deal," a formula manhunt saga, may not be too hard-pressed to repeat the box-office performance scored by "T-Men" because it has three star names to sell—O'Keefe, Claire Trevor and Marsha Hunt—where its predecessor had but one. But, more important, if it can be promoted as effectively as was the intrinsically exploitable "T-Men," it certainly is due for like returns. There rests the challenge to distributor and showmen.

The screenplay by Leopold Atlas and Higgins, adapted from a story by Arnold B. Armstrong and Audrey Ashley, starts briskly with a prison break by convict O'Keefe who had taken the "rap" for a slack-mouthed gang leader (Raymond Burr). Accompanied reluctantly by his lawyer's secretary (Miss Hunt) and most willingly by his jealous sweetheart (Miss Trevor), O'Keefe eludes a police dragnet and ultimately reaches a seaside hide-out where he was to meet Burr and receive from him a large payoff. Meeting him instead is one of Burr's "trigger-men," John Ireland, gun in hand. The two engage in a savage battle, with Ireland the loser. O'Keefe then seeks out Burr and both are killed in a tense showdown fight. Curt Conway and Chili Williams round out the cast.

In its action scenes this Reliance Picture is genuinely absorbing; in its conversational scenes it is handicapped somewhat by uninspired dialogue. But action predominates, and the customers will like it.

Running time, 71 minutes. General audience classification. Release date, May 26.

CHARLES L. FRANKE

"Jinx Money"

(*Monogram*)

Hollywood, May 19

LATEST in the "Bowery Boys" group, "Jinx Money" should add considerably to the series' following, with pronounced improvement in story texture lifting this number well above many of its predecessors.

The screenplay by Edmond Seward, Tim Ryan and Gerald Schnitzer, based on a story suggested by Jerome T. Gollard, opens with a friendly poker game between five mobsters, one of whom wins $50,000, quits, leaves, and is forthwith murdered by somebody who does not get the money because it was dropped in the excitement. The Bowery Boys find the money, make no secret of doing so, and the other mobsters, one after another, try to retrieve it but are murdered as they do so. Police and the boys cooperate in solving the murders. Meanwhile they have made so many pledges of donations to charities that by the time they make good on these and pay the income tax they are broke again. Jan Grippo produced and William Beaudine directed.

The cast includes, in addition to the Bowery Boys, Betty Caldwell, Sheldon Leonard, Donald MacBride, Wanda McKay and Lucien Littlefield.

Running time, 68 minutes. General audience classification. Release date, June 17.

Dezel Gets Franchise, Splits Territories

Albert Dezel Productions has acquired the Favorite Films franchise for St. Louis. Also, Masterpiece Productions have been acquired by Dezel for Kansas City.

Omaha and Des Moines will henceforth be served out of Chicago and Kansas City offices of Dezel.

New Florida Theatre

ATLANTA, May 19.—E. S. Winburn and Harlow Lamb are constructing a new theatre in Chiefland, Fla.

Production on the Coast Rises to 35

HOLLYWOOD, May 19.—The production index rose to 35, compared to 32 in the previous week. Ten new films went before the canvas while seven were sent to cutting rooms.

Shooting started on "FBI Meets Scotland Yard" (Edward Small), "Rusty Pays a Debt" and "Walking Hills," Columbia; "Three Godfathers" (Argosy Production), Metro-Goldwyn-Mayer; "Kidnapped," "Manhattan Folk Song" and "Frontier Firebrand," Monogram; "Indian Agent," (RKO Radio); "West of Tomorrow" (Frank Seltzer), and "Trouble Preferred" (Sol Wurtzel), 20th Century-Fox. Shooting finished on "Gentleman from Nowhere," Columbia; "No Minor Vices," Enterprise; "Special Agent" (Pine-Thomas), and "The Tatlock Millions," Paramount; "Nighttime in Nevada," Republic; "Sting of the Lash" (Western Adventure), Screen Guild; "A Kiss in the Dark," Warner Brothers.

Legion Classifies 22 Pictures; 3 in 'B'

Paramount's "Dream Girl," Monogram's "Smart Woman" and Superfilm's "La Vie de Boheme" (French) have been placed in Class B by the Legion of Decency. Other films reviewed this week by the Legion are: Class A-I; "The Big Punch," Warner; "Campus Sleuth," "The Dude Goes West," "French Leave," "Oklahoma Blues" and "Overland Trails," all Monogram; "Give My Regards to Broadway," 20th Century-Fox; "Guns of Hate," RKO Radio; "Heart of Virginia" and "Under California Stars," both Republic; and "Whirlwind Raiders," Columbia.

In Class A-II: "The Argyle Secrets," "Devil's Cargo," "For You I Die" and "Money Madness," all Film Classics; "Big City," M-G-M; "Crossed Trails" and "I Wouldn't Be in Your Shoes," Monogram; and "The Emperor Waltz," Paramount.

Albany Variety Tourney

ALBANY, N. Y., May 19.—June 21 has been selected as the date and the Shaker Ridge Club as the place for the annual golf tournament and dinner to be held by the Albany Variety Club. Nat Winig is chairman of the arrangements committee.

Cincinnati Variety Dance

CINCINNATI, May 19.—Local Variety Club, Tent No. 3, will hold its annual spring dance at the Netherland Plaza on June 5.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 99 | NEW YORK, U. S. A., FRIDAY, MAY 21, 1948 | TEN CENTS

Entire Jensen & Von Herberg Interests Sold

Seattle Hotel Man Pays $2,000,000 for Circuit

SEATTLE, May 20.—All of the theatre and other interests of the Jensen and Von Herberg enterprises with headquarters here have been purchased by William Erdis, Seattle hotel operator.

Purchase price was not officially disclosed, but local real estate and theatremen estimate that Erdis paid in excess of $2,000,000 for the properties.

Erdis acquired the stock of the Pioneer Securities Co., corporate parent of the Jensen and Von Herberg interests. He said that no changes in present personnel are planned.

Theatres included in the deal are the first-run Liberty here, the Venetian, Bagdad and Roxy here, the Roxy in Ballard, Roxy in Enumclaw, Grand, Great Falls, Mont., and the Rainier, in Renton, Wash.

Wolfberg Reelected By Rocky Mt. Allied

DENVER, May 20.—Reelection of John Wolfberg as president, and Joe Ashby as general manager yesterday closed the two-day convention here of Allied Rocky Mountain Independent Theatres. Joan Livingston was reelected secretary, and Walter Ibold, treasurer.

Elected to the board of directors were: Fred Lind, Robert Smith, Neal Beezley, E. K. Menagh, J. K. Powell, Tom Knight, Lloyd Kerby, Carl Garitson, Marlin Butler, Charles Flowers, A. S. Kehr, Hobart Gates.

Rodner Gets 'Beacon Award' Here Tonight

Presentation of its "Beacon Award" to Harold Rodner, vice-president of Warner Brothers Service Corp., will be a highlight of the annual dinner of the Motion Picture Associates at the Waldorf Astoria Hotel here tonight. The organization this year is combining the award presentation with "A

(Continued on page 2)

Para. Case Delays Crescent Divestiture

NASHVILLE, May 20.—Final phase of the Crescent divestiture, that involving the divestiture of the subsidiary Newport Amusements, Inc., will be stayed until final disposition of the divestiture phase of the Paramount case. Most legal authorities believe that will entail another two years or more.

Basis for the delay in the Newport instance is an amendment to the Federal Court decree, approved some time ago by the Department of Justice, which relieves Crescent of the requirement of disposing of its interest in Newport in the event defendants in the Paramount case are not required

(Continued on page 8)

MPEA Defers Action On Dutch Situation

Decision on the future method of operation by the U. S. film industry in the Netherlands was deferred yesterday by the Motion Picture Export Association's board to await the report of a special committee named to confer with officials of the Bioscoop Bond in Amsterdam.

Appointed to the committee at a

(Continued on page 3)

Mono.-ABPC Deal Nears

LONDON, May 20.—While the board of Monogram in the U. S. and Associated British Pictures Corp. here are reportedly reviewing a plan submitted by Monogram International president Norton V. Ritchey for a two-way production-distribution deal, preparations are nearing completion for Monogram to begin filming at ABPC's Welwyn or Elstree studios in September.

Immediate ratification of Ritchey's proposal, which was reported in MOTION PICTURE DAILY on April 27, is expected. Under the plan Mono-

(Continued on page 3)

Says Accord Pointed Up U.S. Films' Value

It took the Anglo-American film tax settlement to drive home to British exhibitors their dependence on Hollywood product and at the same time make U. S. distributors realize fully the importance of the United Kingdom market. This view was voiced here yesterday by Samuel Graham, head of SG Cinemas, Ltd., which operates 14

(Continued on page 3)

UA Workers Take Their Fight for "IA" to NLRB

50% of Italian Film Imports from U. S.

Rome, May 17 (By Airmail). —Secretary for Foreign Trade granted permits for the importation of 991 foreign films during 1947; 792 features and 199 shorts. Origin of the features was as follows: U. S., 507 (more than 50 per cent); France, 101; England, 78; Russia, 70; Sweden, 26; Austria, five; Mexico and Spain, two each; Switzerland, one.

During 1947, 1,302 permits for the export of Italian pictures were granted, 1,065 for features and 237 for shorts.

Judge Matthew M. Levy, IATSE counsel, yesterday filed with the National Labor Relations Board in behalf of an "overwhelming majority" of United Artists' 140 home office "white collar" workers, a petition for a shop election to determine the employes' future collective bargaining representative. The NLRB is expected to act on the petition quickly since the unit's Screen Office and Professional Employes Guild (CIO) contract will expire on May 31.

As reported in MOTION PICTURE DAILY yesterday, the UA home office "majority" has renounced SOPEG affiliation and has signed with Russell Moss, a business agent of "IA" Motion Picture Home Office Employes Local No. H-63 (AFL).

Spokesmen for SOPEG Local No.

(Continued on page 8)

Theatres Still Show Interest In Arbitration

Complaints Coming In; Company Stand Uncertain

Despite the indeterminate status of industry arbitration in consequence of the Supreme Court decision in the Paramount case, exhibitor interest continues to be manifested in this method of settling trade grievances.

First arbitration complaint to be filed since the Supreme Court decision was handed down on May 3 has been docketed at the New Haven tribunal and other complaints are in prospect. According to exhibition sources, one may be filed with the Detroit tribunal today.

Supreme Court held that the New York District Court has the power to authorize the maintenance of an industry arbitration system on a voluntary basis and to provide rules and procedure for its operation, but left

(Continued on page 8)

Lawson and Trumbo Sentences Are Due

WASHINGTON, May 20. — Screen writers John Howard Lawson and Dalton Trumbo will probably be sentenced tomorrow for having been convicted of contempt of Congress. Argument on motions for new trials for the two writers, convicted some weeks ago, is set for tomorrow morning. The motions will almost certainly be turned down.

Lawson faces a maximum penalty of $1,000 and/or a year in jail in his conviction for refusing to tell the Un-

(Continued on page 8)

Tilden, Karlin and Schmitt Promoted

Managerships of three Latin American Loew International territories are involved in a series of promotions disclosed here yesterday by Morton A. Spring, vice-president.

Jack Tilden, manager of Venezuela, will move up to the top post in Chile, now being temporarily managed by

(Continued on page 2)

S.R.O.'s THE PARADINE CASE a smash hit at the ESQUIRE, Boston

Personal Mention

EDWARD MOREY, Monogram vice-president, and MOREY GOLDSTEIN, general sales manager, will leave New York today for the Coast.

•

CHARLES M. REAGAN, Paramount distribution vice-president, and ROBERT O'BRIEN, company secretary, both of whom have been named to the advisory council of Notre Dame University, left New York yesterday for South Bend, Ind.

•

ELMER C. RHODEN, head of Fox Midwest, and HAROLD J. FITZGERALD, Fox Wisconsin president, have returned to their respective headquarters in Kansas City and Milwaukee from New York.

•

ARTHUR L. MAYER, prospective television film producer, became a grandfather yesterday with the birth here of ARTHUR L. MAYER, II, to MR. and MRS. MICHAEL F. MAYER.

•

WILLIAM HEINEMAN, Eagle-Lion distribution vice-president, and MAX YOUNGSTEIN, advertising - publicity chief, will leave here today for Chicago.

•

EDWIN KNOPF, M-G-M producer, and DEBORAH KERR, screen star, are due here today from the Coast. They will sail for England tomorrow on the *SS Queen Mary*.

•

JOSEPH L. MANKIEWICZ, producer, who returned to the Coast from New York recently, is due back here on Tuesday.

•

WILLIAM B. ZOELLNER, M-G-M short subjects sales head, will return to New York over the weekend from a Midwest and Southern tour.

•

W. STEWART McDONALD, Warner Theatres vice-president, took office last night as president of the Town Club in Scarsdale, N. Y.

•

WILLIAM J. GELL, chairman and managing director of Monarch Pictures Corp., London, leaves here for Hollywood today.

•

PHIL REISMAN, RKO Radio's foreign sales chief, sailed from England for home yesterday aboard the *S.S. America*.

•

HAROLD CHESLER, Bingham, Utah, exhibitor, has filed for nomination for the Utah House of Representatives on the Democratic ticket.

•

CECIL THORNELL has been transferred from the Liberty Theatre at Great Falls, Mont., to the American in Caldwell, Mont.

•

MYRON FOX, M-G-M studio executive, flew back to the Coast last night from New York.

•

ARTHUR HORNBLOW, JR., M-G-M producer, is due here May 29 from the Coast en route to Europe.

59 Exhibitors Aid TOA's 'Youth' Drive

Charles P. Skouras, national chairman of the Theatre Owners of America's "Youth Month" campaign, has received acceptances from 59 exhibitor territorial chairmen who will cooperate in the drive against juvenile delinquency fostered by TOA at the request of U. S. Attorney General Tom C. Clark and the National Conference on Prevention and Control of Juvenile Delinquency.

First step in the campaign will be the showing of "Report for Action," documentary financed by TOA, to local committees on civic welfare in more than 1,500 communities. The film will be sent to exchanges by June 1 for presentation, in non-operating theatre hours, before field workers.

M. A. Silver Promotes Totman and Burger

PITTSBURGH, May 20.—James M. Totman, advertising-publicity director for Warner theatres in the Pittsburgh zone for seven years, has been promoted to succeed the late Thomas J. Fordham as district manager in Northwestern Pennsylvania, by zone manager M. A. Silver.

Henry Burger, assistant advertising director since 1942, succeeds Totman as ad-publicity head in the local office. Jack Kahn, formerly with Warner's theatre and distribution exploitation-publicity offices, has returned to the theatre company as assistant to Burger, and Charles Comar, manager of the Enright in East Liberty has been promoted to head the personnel department.

Serlin Is Promoted

Mort Blumenstock, Warner vice-president in charge of advertising-publicity, has appointed Bernie Serlin field man in the Central district with headquarters in Cincinnati. An attorney before the war, Serlin, who was a captain in the Army, joined Warner's exploitation department last year.

Warner Chiefs at Jack L., Jr.'s, Dinner

Warner office executives invited to last night's dinner given for Jack L. Warner, Jr., at the Warwick Hotel on the occasion of his forthcoming marriage, included:

Harry M. and Albert Warner, Ben Kalmenson, Harry Kalmine, Mort Blumenstock, Samuel Schneider, Herman Starr, Samuel Carlisle, W. S. McDonald, Harold Bareford, Barney Klawans, Rudolph Weiss, Jules Lapidus, Norman Ayres, Norman Moray, Clarence Eiseman, Clayton Bond, Wolfe Cohen, Nat Fellman, Herb Copelan, Harry Mayer, Stanleigh Friedman, Larry Golob, Ed Hessberg, Jules Levey, Tom Martin, Robert Perkins, Harold Rodner, Harry Goldberg, Gil Golden, Ralph Budd, Harold Levinson, James Brennan, Mike Dolid, Ed Hinchy, Albert Hawson, Sam Lefkowitz, Jacob Wilk, Frank Phelps, Morris Ebenstein and Bill Brumberg.

A.Schenck-GoldstoneDeal

Harry Goldstone's Famous Film Exchange will distribute the product of Madison Pictures, headed by Armand Schenck, in the Metropolitan New York territory.

Analysis of Color At SMPE Session

SANTA MONICA, Cal., May 20.—Theory, uses and effects of color, without any direct relation to color photography and projection, was the principal topic at today's session here of the Society of Motion Picture Engineers' convention. The fourth day's session was capped by a joint session with the Inter-Society Color Council at the Academy Awards Theatre in the evening where Ralph M. Evans of Eastman Kodak gave a demonstration-lecture on "Seeing Light and Color."

The afternoon session was highlighted by Watson Jones' expository paper describing RCA's new mobile recording unit which weighs only 8,500 pounds complete with truck and batteries, compared with present units in use weighing 18,000 pounds.

Bergman and Bing Top Magazine Poll

Ingrid Bergman is the favorite screen actress of American women for the second year in succession in the *Woman's Home Companion's* fourth annual poll. Bing Crosby leads male stars for the third year. The stars rated as follows:

Bergman, Greer Garson, Claudette Colbert, Bette Davis, Joan Crawford, Irene Dunne, Rosalind Russell, June Allyson, Barbara Stanwyck, Lana Turner.

Bing Crosby, Gregory Peck, Spencer Tracy, Cary Grant, Clark Gable, Walter Pidgeon, Gary Cooper, Jimmy Stewart, Ronald Colman, Dana Andrews.

Robbins Signs for Mecca Building Here

Herman Robbins yesterday signed contracts whereby National Screen Service, of which he is president, acquired the Mecca Building here from Loew's International.

The premises will become headquarters of NSS, which expects to take occupancy in from six to nine months. Departments, now scattered over four-and-one-half floors at the Film Center Building, and other departments operating elsewhere, will go under the one roof.

Talks on Film Codes

The motion picture advertising and production codes, in their relationship to the functioning of the industry's public relations, will be discussed here tonight by Charles Schlaifer, director of advertising-publicity of 20th Century-Fox, at the fourth session of his course on "The New Significances in Motion Picture Public Relations" at the New School.

Tilden Promoted

(*Continued from page* 1)

Sidney Schwartz, traveling auditor. Stepping up to Tilden's job in Venezuela will be Myron D. Karlin, now M-G-M head in Ecuador. Replacing Karlin will be Robert Schmitt, assistant sales chief of 16mm. entertainment films in New York. The Ecuador managership will be Schmitt's first overseas post.

Markert Production Head of 'Cavalcade'

Russell Markert, stage producer of Radio City Music Hall here, yesterday was named production committee chairman of the 1948 "Cavalcade of Stars" by New York Supreme Court Justice Samuel Dickstein, who is overall chairman of the event, which will be presented at Madison Square Garden on June 3. Proceeds will go to Shield of David Home for Orphan Girls in the Bronx.

Others appointed to the committee are: Max Wolff, vice-chairman; Sam Raush and Arthur Knorr, co-chairmen; Norman Rettig, secretary, and Zeb Epstein, Jack Edwards, Sidney Piermont, Bert Lytell, Al Horwits, Harry Levine, Bert Liebman, Angel Lopez, Nat and Harry Kalcheim, Louis Sobol, Leonard Romm, Bill Miller, James Sauter, George Evans, Harry Hershfield, Earl Wilson, Nat Harris, Ben Boyer and Max Meth. Performers will include screen, stage and radio stars and "name" bands.

Award for Rodner

(*Continued from page* 1)

Salute to the Will Rogers Memorial Hospital," to which half of the dinner's proceeds will be donated.

Rodner, who is executive vice-president of the Will Rogers Memorial Fund and a trustee of the Jewish Child Care Association, is being honored for his work in the social rehabilitation of blind veterans and for his activities in behalf of servicemen

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

RAY MILLAND
CHARLES LAUGHTON
in "THE BIG CLOCK"
A Paramount Picture
in Person DUKE ELLINGTON And His World Famous Orchestra
FOUR STEP BROS. across
EXTRA! ELLA FITZGERALD
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

DANA ANDREWS • GENE TIERNEY
"THE IRON CURTAIN"
A 20th Century-Fox Picture
PLUS ON STAGE
ED SULLIVAN
his DAWN PATROL REVUE
ROXY 7th Ave. & 50th St.

Merle OBERON • Robert RYAN • Charles KORVIN • Paul LUKAS
Berlin Express
RKO RADIO PICTURE
VICTORIA Theatre BROADWAY at 46th STREET

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U. S. Films to Stay On Norway Screens

By SVEN WINQUIST

OSLO, May 15 (by Airmail). — End result of the film agreement between the U. S. and Norway is that American product will stay on local screens even after its allocated exchange quotas have been reached.

The agreement has three provisions: Americans can take the dollar equivalent of 1,000,000 kroner ($200,000) out of the country. The dollar equivalent of an additional 1,000,000 kroner will be blocked and then paid to American distributors in dollars over a period of four years, beginning in 1949. American companies are permitted to continue operations beyond the 2,000,000 kroner ($400,000) eventually to be paid to them, but the additional monies, it is understood, cannot be claimed by the Americans. It is understood that this money will be used for operating expenses in the country. U. S. dollars are scarce in Norway and difficult to obtain.

The municipally controlled cinemas —90 per cent of all houses in Norway —will give one per cent of their income to a special fund for Norwegian producers in an attempt to encourage native production.

During 1947, 398 films were imported from seven countries, compared with 367 in 1946 from nine countries. The 1947 figures: U. S., 227; England, 55; Sweden, 53; France, 36; Russia, 14; Denmark, 12; Mexico, one.

Ontario Saw 65 UK Pictures Last Year

TORONTO, May 20. — The report of O. J. Silverthorne, chairman of the Ontario Censor Board for the year ending March 31 reveals that of 533 features approved during the period, 13 per cent were classed as adult. The list included 65 British features.

The report also stated that 448 theatres had been licensed as well as 935 projectionists, both totals being an all-time record for Ontario. Out of 38,877 items of film advertising, 650 pieces were rejected while 250 others were returned for revision.

MPEA Defers Action

(*Continued from page* 1)

meeting at the Motion Picture Association of America offices here, at which Francis S. Harmon, MPAA vice-president, presided, were Frank McCarthy, Continental manager of the MPAA, chairman; Irving Maas, MPEA vice-president and general manager, and two Continental managers of member companies still to be selected. The quartet will proceed to Amsterdam later this month.

The MPEA board will meet again to take up the Dutch situation as soon as the committee turns in its report on the outcome of the conferences with the Bioscoop Bond officials.

Upon the results of the later conferences will depend whether or not the MPEA will withdraw from the Dutch scene.

Canadian Taxes Drop

OTTAWA, May 20.—Canadian amusement taxes in April dropped to $1,114,458, from $1,495,795 collected in March. They were still higher than a year ago, however, when revenue totaled $1,070,315 in April and $1,346,175 in March.

Reviews

"Give My Regards to Broadway"

(*20th Century-Fox*)

AS a comedy-drama about a vaudeville family, "Give My Regards to Broadway" is a brightly pleasing family picture with a special quality of charm. Made in Technicolor, it has some memorable tunes and a good cast, headed by Dan Dailey, Charles Winninger, Nancy Guild, Charlie Ruggles and Fay Bainter. It obviously constitutes reliable merchandise.

All through the story Winninger, an old trouper, holds fast to the dream that vaudeville will come back, and in preparation for that day, he keeps the family at practice on their old juggling act. Slowly, however, the family grows up and moves away from vaudeville. One marries, another drifts towards other interests, and even Dailey, the favored son, meets Miss Guild and starts thinking of marriage. Thus the years catch up with Winninger, causing him to finally abandon his hope. Fortunately, though, he has been advancing in his job all the while, and by this time, he finds himself a successful vice-president in business.

The story depicts a dream that is lost, but it does so with mirth, buoyancy and steady narrative development. As a father and son, Winninger and Dailey spark the proceedings with some delightful song and dance numbers. Lloyd Bacon directed and Walter Morosco produced. The screenplay, by the late Samuel Hoffenstein and Elizabeth Reinhardt was based on a story by John Klempner.

Running time, 89 minutes. General audience classification. Set for June release.

MANDEL HERBSTMAN

"Return of the Bad Men"

(*RKO Radio*)

"RETURN of the Bad Men" has enough brigands for half a dozen outdoor pictures. The result is an orgy of villainy that will project devotees of violence on the screen into "seventh heaven." The display of give-and-take keeps the footage unrolling at a furious pace from starting gun to finish, under Ray Enright's direction.

Actually the film is a routine affair made to seem more important than it is by virtue of a cast with a number of good box-office names. Topped by Randolph Scott, Robert Ryan, George (Gabby) Hayes and Anne Jeffreys, they have to work hard to put the story over. The prime handicap which they are called upon to overcome is a script with more stereotyped ingredients than might be expected of a Western of the pretensions of "Return of the Bad Men."

It tells the story of a group of cutthroats, among them Billy the Kid and the Dalton boys, who terrorized the Oklahoma territory at the time of the great land rush. Their nemesis is Scott, who abandons his ambition to go to California in order to establish law and order.

Ryan has a routine asignment as one of the bad men. Hayes handles the comedy. Scott's interest is torn between Miss Jeffrey, leader of the "baddies" who reforms, and Jacqueline White. Ryan's murder of Miss Jeffrey solves Scott's romantic problem. The Charles O'Neal-Jack Natteford-Lucci Ward screenplay was produced by Nat Holt. Jack J. Gross was executive producer.

Running time, 90 minutes. General audience classification. Set for July release.

P.E.L.

20% Admission Tax In British Columbia

OTTAWA, May 20.—British Columbia has joined Ontario in imposing a 20 per cent amusement levy to replace the tax lifted this week by the Canadian government. Some $2,000,000 annually are expected from British Columbia's levy.

Meanwhile, the Ontario provincial Treasury Department has advised that the new tax, which is embodied in the Ontario hospital amusement tax act, has been levied on the face value of each admission ticket, whereas the federal tax was on the basis of weekly gross receipts.

Propose Film Tax For French Subsidy

A 25 per cent tax on the receipts of producers in France and on Hollywood and other foreign film imports would recover a 1,000,000,000-franc ($4,000,000) subsidy proposed for the French motion picture industry, according to press dispatches reaching here from Paris.

Legislation for the subsidy and subsequent taxation has been introduced in the National Assembly by Communist Deputy Fernand Grenier, and is designed to promote "a rapid and massive production of French films."

$199,093 Net for Eastern Theatres

OTTAWA, May 20.—Net earnings of Eastern Theatres, Ltd., for the 53-week period ended Jan. 3 was $199,093 compared with $241,989 for the previous 52 weeks, according to the company's annual report. The 1947 net was equal to $3.17 per common share against $3.24 per share in 1946.

Total assets of Eastern Theatres were $633,542 and working capital $227,375, compared with 1946's assets of $573,948 and working capital of $179,745.

NY-Albany Coaxial Cable

A new long-distance coaxial cable will be put in service between New York and Albany today by American Telephone and Telegraph. The cable contains eight coaxial tubes, a pair of which, when fully equipped, can handle two television programs or about 600 simultaneous telephone conversations.

Allen Forms Telefilm

TORONTO, May 20. — Telefilm of Canada has been organized by I. H. Allen to distribute films for telecasting when video gets under way in the Dominion under the license control of the Canadian Broadcasting Corp.

5 UN Films Have Been Completed

WASHINGTON, May 20.—The United Nations Organization has completed five documentary pictures and hopes to have 10 others finished by the end of the year, UN film chief William H. Wells told a luncheon-meeting of the Washington Film Council today.

Films already completed, Wells said, are: "Clearing the Way," four-reeler on the planning of the new UN headquarters in New York; "First Steps," Academy Award winning one-reeler on rehabilitation of physically-handicapped children; and three two-reelers: "The People's Charter," "Searchlight of the Nations," and "Maps We live By." UN films are being made in nine countries, the UN official stated.

U. S. Films' Value

(*Continued from page* 1)

houses in Nottingham, England.

Graham, in New York to discuss product deals with major distributors, said the accord came just in the nick of time, British exhibitors having reached the bottom of the barrel as far as U. S. product was concerned. He asserted the rejoicing that greeted the settlement in England attested to the popularity of our pictures there.

The visitor counselled American producers to keep in mind in making production plans that people today are in search of happy entertainment. He said the present demand in his country is for "gay" pictures to make the public forget its troubles.

According to Graham, British filmgoers are now shopping for quality without regard for its origin.

Accompanied by his wife, the British theatre operator will leave here for a Bermuda vacation on Wednesday, returning to New York on June 26. He plans to return home a week later aboard the *S.S. Mauretania.*

Mono.-ABPC

(*Continued from page* 1)

gram-Allied Artists would distribute throughout the Americas three ABPC productions in return for which Monogram would produce here under ABPC auspices for British Pathe distribution in the United Kingdom and AA distribution in America.

At the same time the agreement would give ABPC a dual American outlet, with its major output handled by Warners under a concluded pact.

Mrs. Fanny Feldman, 52

KANSAS CITY, May 20.—Mrs. Fanny Feldman, 52, wife of exhibitor Ben J. Feldman, died at Menorah Hospital here yesterday after a long illness. Services for Mrs. Feldman, who was a member of the Council of Jewish Women and Kansas City Hadassah, were held here today. She is survived by her husband, who is co-owner with Reuben Finkelstein of the Paseo and Byam theatres in Greater Kansas City, and by two daughters.

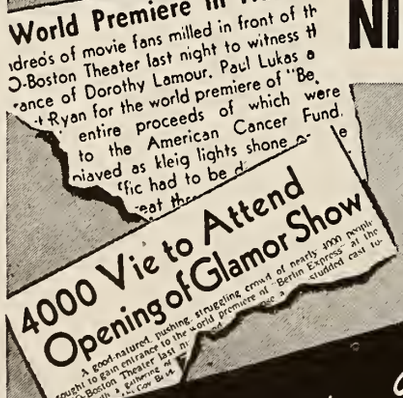
Alpha Fowler, Sr.

ATLANTA, May 20.—Alpha Fowler, Sr., veteran Georgia exhibitor and legislator, died of a heart attack at the Piedmont Hospital on Monday. Fowler was one of the largest independent theatre operators in the state. In addition to the widow, he is survived by three sons, Alpha, Oscar and Jimmie, and a daughter, Mrs. R. L. Whitehurst. Funeral service was held in Douglasville yesterday.

RKO SHOWMANSHIP TO RECORD-BREAK

"BERLIN EXPRESS" BIGGEST IN BOSTON!

Thousands storm doors of Boston Theatre as cyclonic campaign blankets Hub City area . . . New opening record for the picture that's headline-hot with authentic drama staged in the actual settings in Berlin, Frankfort, Paris... **BROADWAY RUN BEGINNING MAY 20 AT VICTORIA THEATRE**



LAUNCHES TWO MORE
NG OPENINGS!

"FIGHTING FATHER DUNNE" TOPS IN ST. LOUIS!

Fox Theatre draws biggest opening crowds in years, as parades, radio, newspapers and continuous public events sweep all attention to the picture with unlimited exploitation possibilities and terrific audience appeal!–ATLANTA exploitation opening follows same sensational pattern . . . with more and more to come!

Produced by PHIL L. RYAN • Directed by TED TETZLAFF • Screen Play by MARTIN RACKIN and FRANK DAVIS • Story by WILLIAM RANKIN

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BUILD GOOD
Here ar
... fro
TRAIN TO ALCATRAZ
MADONNA OF THE DESERT
SLIPPY McGEE

FFICE PICTURES

GROSSES

me good ones...

epublic, of course!

LIGHTNIN' IN THE FOREST

CAMPUS HONEYMOON

HEART OF VIRGINIA

Arbitration

(*Continued from page* 1)

action in the matter up to the lower court. Since no provision for arbitration is contained in the decree in the Paramount case and the District Court is not expected to act in the matter for some months, the American Arbitration Association has been uncertain whether it would continue to accept complaints for arbitration. Its interim procedure, pending court action, will be to accept new complaints and endeavor to arrange for their arbitration.

Arbitration Views Are Split

Defendants in the Paramount case apparently have made no decision yet on continued participation in a voluntary arbitration system should one be authorized by the New York court. Opinion is divided, some holding that the ultimate decree in the Paramount case will eliminate most of the factors which give rise to arbitration complaints, whereas others believe that the decree may increase such causes, particularly in the matter of clearance and run, and that arbitration, in consequence, will be more needed than before.

Clearance and run complaints, in consequence of the Supreme Court decision, already are swamping many distribution offices, as reported in MOTION PICTURE DAILY yesterday.

Await Companies' Reaction

The complaint filed this week was by Crown Management Corp., operator of the Crown Theatre, Hartford. It is against all five distributor-defendants, and it is said that if the companies, which yesterday received notices of the filing, do not reject Crown's move it will be a tacit indication of their willingness to continue arbitration pending a final decree.

Complainant claims that pictures of the five become available to Crown five and six months after a first-run in Hartford and that hardship is created in booking and buying for Crown. The arbitrator is requested to set a 30-day ceiling after first-run Hartford. Hartford first-run named was the Rialto.

Reviews

"Showtime"

(*English Films*)

BRITISH film makers present a story inspired by the memory of one of their top theatrical producers, George Edwardes. The story of his rise, set in the gas-lit era, quite naturally develops against a background of musical comedy, with some bright entertainment resulting occasionally. Popular acceptance here may be hampered by the accents of most of the performers. The picture's best asset is its excellent principals, Richard Greene and Ann Todd.

The screenplay, devised by Katherine Strueby from a story by Richard Fisher and Peter Creswell, proceeds along formula lines. With the theatre in his heart, Greene goes to London, is attracted by a young entertainer, and finally wins her hand. Once married, there follow the ups and downs, the bittersweet moments that were part of the producer's rise to the heights of theatreland. Production numbers that show up intermittently are of a conventional nature. In support are Peter Graves, Morland Graham and Hazel Court. A British Mutual Film Corp. release, George King produced and directed.

Running time, 89 minutes. General audience classification. For May release.

M.H.

"Whirlwind Raiders"

(*Columbia*)

A DURANGO KID Western with Charles Starrett and Smiley Burnette. Starrett, as a masked rider on a white horse, and Steve Lanning, a Texas Ranger, help the land owners in their fight against graft and corruption. A group of racketeers use the shield of police to advance their own ends, increasing tax rates and confiscating land and cattle when the ranchers are unable to pay. The Durango Kid realizes what the gang is doing and he leads the ranchers in their fight against the gang. The outlaws, of course, are exposed.

Smiley Burnette, as a singing repair man, contributes several comic incidents. Colbert Clark produced and Vernon Keays directed.

Running time, 54 minutes. General audience classification. Release date, May 13.

"Guns of Hate"

(*RKO Radio*)

WHILE the plot of "Guns of Hate" is one of the old Western faithfuls, it has been worked out against pictorial backgrounds that enhance its interest many notches. It is to the credit of cameraman George E. Diskant that the production seems so much better than it actually is.

Accorded a creditable production by Herman Schlom, the picture has an abundance of action and noise, effected by the unrelenting direction of Lesley Selander, who worked from a screenplay by Norman Houston and Ed Earl Repp. Tim Holt gives a vigorous account of himself as the star. He and his buddy, Richard Martin, who takes care of the comedy, are job-hunting cowboys who save Nan Leslie's gold mine from being seized by a gang after her dad is slain.

Running time, 62 minutes. General audience classification. Release date, not set.

P.E.L.

Para. Case Delays

(*Continued from page* 1)

by the Supreme Court to dispose of their theatres or are permitted by the high court to buy or sell interests in their partly-owned circuits.

Subject in Lower Court's Hands

While the Supreme Court refused Paramount case defendants the right to buy or sell partially-owned theatre interests, it returned the question of divestiture to the lower court for determination. Crescent, therefore, may retain Newport pending the divestiture determination in the Paramount case.

All other phases of the Crescent divestiture have been concluded. Rockwood Amusements, headed by Kermit Stengel, has sold its interest in Ruffin Amusements to W. F. Ruffin, Covington, Tenn., for cash. Rockwood also has sold its interests in Cherokee Amusements and Stengel is no longer an officer or director of the latter. Rockwood's interest in Kentucky Amusement Co., reincorporated as Elizabethton Theatre Co., was sold to J. M. Hobbs, Elizabethton, Ky.

Stengel is no longer associated with Crescent, which is now headed by Robert E. Baulch, son-in-law of the late Tony Sudekum. Webster D. Hayes is secretary-treasurer of Crescent.

One Crescent Petition Rejected

The five-year old Crescent decree prohibited the company from expanding where unfair competition would result. The court, however, has approved construction by Crescent of two houses in the Nashville suburbs and one at Alcoa, Tenn., the purchase of another at Old Hickory, near here, and the remodelling of theatres in Brownsville, Tenn., and Earlington, Ky.

The only Crescent petition opposed in court thus far was one for remodeling and enlargement of the Ritz Theatre, Alabama City, Ala. The court granted permission over the objections of owners of a competing theatre.

Lawson and Trumbo

(*Continued from page* 1)

American Activities Committee whether he was or ever had been a Communist. Trumbo was convicted on two counts, for refusing to say whether he was a Communist and whether he was a member of the Screen Writers' Guild. He could get up to two years and/or a $2,000 fine. Probably, however, the sentences on the two counts will be made to run concurrently.

Defense attorneys are already committed to appealing the decision, and have 10 days after sentencing to file the appeal.

Dennis O'Keefe, Marsha Hunt and Claire Trevor, in "RAW DEAL," the picture that blasts the screen with "T-Men" fury. It's an Edward Small production, an Eagle Lion Films release.

UA Workers

(*Continued from page* 1)

109 reported yesterday, however, that the union "is going full steam ahead" in its 1948 contract negotiations for the UA employes. SOPEG president Sidney Young is understood to have held a special membership meeting here last night to weigh strategy in light of H-63's invasion of its ranks. He is said also to have "discharged" from the SOPEG all UA workers who had formed a committee to spearhead a movement to tie up with "IA."

SOPEG said yesterday: "Reported attempts by the IATSE to raid SOPEG's jurisdiction at UA is a repetition of what occurred in 1946. At that time the 'IA' used a few company stooges in an attempt to disrupt negotiations. The 1946 contract, which won wage increases and other benefits, also made it possible for UA employes to win 1947 increases through arbitration."

The UA employes' switch was described by a "majority" spokesman as due mainly to the fact that SOPEG's refusal to file non-Communist affidavits has denied the union access to the NLRB.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 100 NEW YORK, U.S.A., MONDAY, MAY 24, 1948 TEN CENTS

$5-Million Net Reported by RKO for 1947

RKO Radio Was 'In the Red', Now 'In the Black'

RKO's net profit in 1947 was $5,085,848, equal to $1.30 per share of outstanding common stock, against $12,187,805 in 1946, equal to $3.18 per share.

In a letter to stockholders accompanying the company's annual financial statement, N. Peter Rathvon, RKO president, explained that the recession in 1947 consolidated earnings was attributable to a substantial loss by RKO Radio Pictures, the picture producing and distributing subsidiary. Thus far in the current year, operations of this subsidiary have shown a small profit, while theatre operations continue very profitable but at a somewhat lower level than at the same time last year, Rathvon added.

Report shows that although earnings for 1947 were lower than in 1946,

(*Continued on page 8*)

RKO Seeks Release From Loop Decree

CHICAGO, May 23.—Hearings on RKO's motion to exempt the company from contempt charges in the Jackson Park decree were placed under advisement Friday by Federal Judge Michael L. Igoe in U. S. District Court.

Miles Seeley, RKO attorney, argued that the RKO Palace and Grand theatres were not named defendants in the original decree, that only RKO Pictures were involved. He stated that the houses are separate corporations,

(*Continued on page 7*)

Early US Action Seen on Blum Pact

WASHINGTON, May 23. — With the deadline for re-negotiation of the Blum-Byrnes accord nearing, State Department and industry officials here expect an early announcement of U. S. agreement to reopen the pact, and then speedy settlement of the points at issue.

Under the accord's terms, the re-

(*Continued on page 2*)

Decision's Effect on Theatres 'Unsettled'

In advising stockholders on the recent decision by the Supreme Court in the Government's Paramount anti-trust action, N. Peter Rathvon, RKO president, reports that, as further proceedings must be held, it is impossible to foretell what theatres, if any, the corporation must dispose of and what general effect the opinion of the court will have on the company's business.

Barney Balaban, Paramount president, in a letter to his company's stockholders today, expresses a similar opinion.

Another Arbitration Complaint Filed

Further manifestation of continuing exhibitor interest in industry arbitration as a method of settling trade grievances came with announcement by the American Arbitration Association office here at the weekend that a clearance complaint had been docketed at the Detroit tribunal. It was the second such complaint to be filed following the May 3 Supreme Court decision in the Paramount case.

Latest complainant is the Grand Centre Recreation Co., operating the Centre Theatre, Grand Blanc, Mich. Naming all five trust-suit distributor defendants, the complainant claims that clearance granted by them to the Regent, Strand, Michigan, Della, Roxie, Rialto, Nortown and Burton theatres of Flint is excessive and unreasonable. The Centre, complainant alleges, is compelled to wait on an average of between 75 and 120 days following the available dates of the theatres mentioned, and asks a reduction in clearances.

Trumbo and Lawson Receive Maximum Penalty; To Appeal

WASHINGTON, May 23. — Screenwriters John Howard Lawson and Dalton Trumbo were sentenced Friday to pay a fine of $1,000 each and serve one year in jail for having been convicted of contempt of Congress, receiving the maximum penalty for this crime.

Defense attorneys immediately filed notice of appeal. Argument on the appeal will not be heard until the Fall, due to time allowed each side to file briefs and designate the portions of the record to be sent to the higher court, and due to the fact that the Court of Appeals for the District will recess next month until the Fall.

Both Lawson and Trumbo were continued on bail pending the outcome of the appeal.

Sentencing in each case came immediately after District judges turned down motions for new trials on the ground that all points raised in the new trial motions had been argued in the previous trials.

Judge David A. Pine sentenced

(*Continued on page 7*)

See Delay on Video Permit Hearings

WASHINGTON, May 23.—Further hearings on applications for new television stations in most large cities will probably be delayed indefinitely under a policy announced by the Federal Communications Commission on Friday.

FCC said its new policy is necessitated by recent rulings taking away one television channel and ending the sharing of others, and by hearings next month on complete reallocation of television channels.

Under these circumstances, the

(*Continued on page 8*)

Theatre Companies at 5-Year High, Says U. S.

WASHINGTON, May 23.—Number of firms operating motion picture theatres has increased steadily during the last four years, the Commerce Department reports.

At the end of 1947, there were 14,300 firms operating theatres, the Department's figure shows. This compares with 12,300 at the end of 1944, low point of recent years.

At the end of 1943, there were 12,600 firms. This dropped to 12,300 during 1944, picked up to 12,500 in June, 1945, and was up to 13,400 at the end of 1946. The trend continued through 1947, and apparently is still continuing, officials believe.

The Department cautioned that these figures do not reflect the number of theatres, but only the number of firms operating theatres. Thus a circuit operating 50 or 500 theatres would be counted only as one firm in the survey.

U. A. Rejects SOPEG, Cites 'Red' Issue

Offers to Deal with Other Bargaining Units

United Artists management notified the Screen Office and Professional Employes Guild (CIO) here at the weekend that it "cannot negotiate" with SOPEG's contract negotiating committee because the "union has refused to comply with the National Labor Relations Act of 1947" in that "its officers have refused to sign affidavits swearing that they are not Communists" and because the union "has failed to file a financial report with the Secretary of Labor."

This notification, representing the first such stand to be taken by any film company on SOPEG since the Taft-Hartley Law was adopted, was served personally by UA executives at a meeting with Sidney Young, SOPEG president, and other officials of the union. Immediately following the meeting, the management assured the 140 "white collar" home office employes affected, in writing, that "you will not suffer the loss of any wage rates, hours, working conditions or any other privileges attained by you

(*Continued on page 7*)

Para. Undecided on Decision 'Problems'

Paramount has not yet taken any position with respect to the problems presented by the U. S. Supreme Court decision in the Government trust suit against the industry, Barney Balaban, company president, discloses in a letter to stockholders accompanying the annual proxy statement.

In reporting to stockholders, Balaban writes:

"The opinion of the Supreme Court indicates that it does not regard the ownership by this corporation of thea-

(*Continued on page 8*)

All Para. Directors Up for Reelection

All directors have been proposed for reelection at Paramount's annual stockholders' meeting here on June 15, according to the company's proxy statement.

Listed as board nominees are Barney Balaban, Stephen Callaghan,

(*Continued on page 8*)

Personal Mention

MALCOLM KINGSBERG, RKO Theatres president, and SOL A. SCHWARTZ, vice-president and general manager, left here over the weekend for Chicago and Kansas City. They will return on Wednesday.

•

ERIC JOHNSTON, president of MPAA, and ARTHUR DEBRA, director of the MPAA's community relations department, have left here for Portland, Ore., to address the General Federation of Women's Clubs convention there.

•

BEN COHEN, manager of the Strand Theatre, Cincinnati, has been transferred to the Uptown, Cleveland. JACK SILVERTHORN, former manager of the Telenews in Detroit, succeeds COHEN.

•

MRS. WILLIAM A. WHITE, wife of the general manager of Skouras theatres in New York, is a patient at Johns Hopkins Hospital in Baltimore.

•

BERNARD M. KAMBER, Eastern advertising-publicity representative for Benedict Bogeaus Productions, will leave here today for Hollywood.

•

L. J. KAUFMAN, Warner circuit executive, left here last night for Cleveland and Pittsburgh. He is due back in New York on Wednesday.

•

ED STEVENS, president of Stevens Pictures, has returned to Atlanta from a New York sales meeting.

•

OTTO PREMINGER, 20th Century-Fox producer-director, left here yesterday for England.

•

J. A. OTTEN and MRS. OTTEN of MOTION PICTURE DAILY's Washington bureau, have become parents of a daughter.

•

MARIAN J. JORDAN, Motion Picture Export Association general manager of Germany, is in town from Berlin.

•

L. M. ECKERT, Selznick studio manager, is in town from the Coast.

•

DAVID O. SELZNICK is expected to leave New York today for the Coast.

•

LEO MCCAREY is in town from the Coast.

Curtis Bill Asks Cut In Admission Tax

WASHINGTON, May 23.—Another bill to cut the admission tax back to the pre-war 10 per cent rate has been introduced in the House, this one by Representative Curtis of Nebraska.

Curtis, who called for repeal of other wartime excise rates at the same time, said that "reduction of these taxes will not cut Federal revenue. The 20 per cent rates are so high they are holding back sales, and their reduction will increase the volume of sales taxed," said Curtis.

Appeals Ct. Upholds Fielding on 'Outlaw'

Albany, N. Y., May 23.—New York City License Commisioner Benjamin Fielding had the legal right to censor Howard Hughes' United Artists release, "The Outlaw," the New York State Court of Appeals ruled unanimously at the weekend. No opinion was given.

Fielding, after reviewing the film with City Police Commisioner Arthur Wallander, threatened on Oct. 7, 1946, to revoke the license of any theatre showing the picture. Two Broadway houses thereupon cancelled bookings, but the film later had a long run at the Broadway in New York after cuts were made in it.

Mann and Lippert Circuits Merged

SAN FRANCISCO, May 23.—George Mann and Robert L. Lippert have announced completion of a merger of the two circuits bearing their names, effecting a consolidated organization of approximately 61 theatres.

Terms of the deal were not disclosed and neither Mann nor Lippert, who is on location with a Screen Guild production, could be reached for further comment over the weekend.

Mann's houses include about 40, located in Klamath Falls, Eureka, Ukiah, Marysville, Woodland, Dinuba, Arcata, Fort Bragg, Fortuna and Healdsburg.

Lippert theatres are located here, in Oakland, Richmond, Sacramento, Fresno, Medford, Ashland, Corcoran, Sanger, Guadalupe, Malaga, Pixley, San Pablo, Santa Maria and Stockton. In addition, Lippert operations include a number of drive-ins. In association with Milton Reynolds, ball pen manufacturer, Lippert had been active in bidding for a half interest in Mike Naify's United California Theatres, but dropped out of the contest some time ago.

Strive for Accord In NT Stock Suit

Proposals looking to a settlement of the suit brought by six minority stockholders against 20th-Fox over the sale of National Theatres stock to the parent company are still under discussion by counsel for both parties to the litigation.

Any agreement that might be reached will be subject to a hearing in N. Y. Supreme Court.

The plaintiffs are opposed to a deal under which Charles P. Skouras, head of National Theatres; Elmer C. Rhoden, head of Fox Midwest; Harold J. Fitzgerald, president of Fox Wisconsin, and F. H. (Rick) Ricketson, head of Fox Intermountain, made $6,000,000 from the sale of the stock.

Vote Will Determine NY Colosseum Unit

Formation of a Colosseum of Motion Picture Salesmen unit in New York will await the outcome of the forthcoming company-wide elections among the country's 1,000-odd film salesmen who will vote on whether or not they desire to have the Colosseum represent them for collective bargaining purposes, a spokesman for the union has indicated here.

Voting may get underway this week, it is understood. Howard Lichtenstein, labor attorney for the film companies, is said to have already received from nearly all his clients the lists of salesmen's names and addresses which the National Labor Relations Board here will use to address ballots to the salesmen. Lichtenstein is expected to present the list to the NLRB today, and Frank Greenberg, attorney for National Screen, is expected to turn over NSS's list to the board also on the same day.

Approximately 850 members of the Colosseum are said to represent 85 per cent of the country's film salesmen, the remaining 15 per cent being in the New York City and some New England areas. Colosseum organizers will be able to judge the leaning of New York's salesmen after the election returns are in and will know then whether there is the nucleus of a unit here and in some other unorganized sections, it was said.

Sullivan in TOA Bow at UTOI Meet

Gael Sullivan, who will assume his new duties as executive director of the Theatre Owners of America on June 1, will make his first official appearance before a theatre group at the meeting of the United Theatre Owners of Illinois, at the Kaskaskia Hotel, La Salle, Ill., on June 3-4. Sullivan will speak before exhibitors of his home state at the invitation of Edward Zorn, president of UTOI.

Herman M. Levy, general counsel of TOA, also has been invited to address the meeting. He will discuss the Supreme Court decision on the Paramount case.

Lawrence Is Named Rank Executive V-P

Jock Lawrence has been promoted to executive vice-president of the U. S. J. Arthur Rank Organization, it was announced here at the weekend by Robert S. Benjamin, president of the American corporation. A member of the board of directors of the company, Lawrence has been vice-president in charge of public relations since its formation in 1945.

Col. Promotes Silverman

Walter Silverman, who has been associated with the Columbia sales force for the past 16 years, will assume his new duties today as New Haven branch manager, succeeding T. F. O'Toole, who will remain with Columbia in an advisory capacity. Silverman went to New Haven in 1944 from Boston.

Newsreel Parade

FIGHTING in Palestine, Dewey and Stassen debating Communism, sports, fashions and human interest subjects round out current newsreels. Complete contents follow:

MOVIETONE NEWS, No. 41—Dewey and Stassen debate Communism. Jewish state proclaimed. Free election held in American zone of Korea. Flower fashion. Girl gymnast. Auto race. Dynamite [illegible]

NEWS OF THE DAY, No. 275—Israel at war. Total eclipse gives Japs a thrill. Stassen and Dewey debate Reds. Korea's first free election. Girl gymnast from overseas.

PARAMOUNT NEWS, No. 78—Report from Palestine. Bob Hope dad to 4,000 kids in Las Vegas celebration. Postmen of Paris in walking race. Election in Korea.

UNIVERSAL NEWS, No. 145—Jews fight for survival on Palestine front. Violence breaks out during Korean election. Swedish girl gymnast arrives. Central Park fashions. College rodeo at Austin, Tex. T.N.T. girl.

WARNER PATHE NEWS, No. 80—First pictures from Israel. Stassen and Dewey debate Reds. Auto race. Swedish girl gymnast. Great Americans: Nathan Hale.

Elect Wirth Head of WB Service Corp.

Ben Wirth has been elected president of Warner Brothers Service Corp. Associated with the home office real estate department since 1930, Wirth was promoted to head of that department in Philadelphia four years ago. Other officers of the Warner subsidiary are Harold Rodner, vice-president; Robert W. Perkins, secretary; Samuel Carlisle, treasurer.

Blum Pact

(*Continued from page* 1)

negotiation must be completed within six months of the date either party asks for a revision, or the entire agreement lapses. The French request was made on January 27, so that deadline for complete agreement is July 27.

Present plans call for final negotiations to be conducted in Paris by Ambassador Jefferson Caffrey and his staff. Both State Department and industry officials are confident that a final settlement will be made by the end of July, or a French agreement obtained for a short extension of the deadline.

McDonald to England

W. Stewart McDonald, Warner Theatres vice-president, is en route to England on the *SS Queen Mary* to settle some details relating to Warners' share of the British exchange agreement with the American film industry. Before returning here he will also visit the company's office in Paris.

'Outlaw' for U. S. Library

WASHINGTON, May 23.—Film division of the Library of Congress has requested two prints of Howard Hughes' controversial production, "The Outlaw." One will be filed in the Library's archives; the other will be used for reference purposes.

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Now Comes

"A picture that'll bring joy to the boxoffice."—Hollywood Reporter

"One of the year's big boons for the exhibitor!"—Daily Variety

"The stuff of sock audience satisfaction."—Film Daily

"Earmarked for the niftiest kind of grosses."—Variety

Paramount's

RICH AND ROLLICKING NEW-LOOK MUSICAL

in

"The Emperor Waltz"

Color by
TECHNICOLOR

So Lavish That It May Never A

SO WONDERFUL THAT IT TOOK 7 ACADEMY AWARD WINNERS TO CREATE ITS

7 Point Supremacy

NUMBER 1 STAR

Bing Crosby, winner of the Gallup Poll of the public, winner of all industry polls, "was never better" says M. P. Daily "and not as good since 'Going My Way'," as he is in this one.

ACADEMY AWARD ACTRESS

Joan Fontaine, coupled with Crosby in the greatest star team of them all. As the kissable countess, she t-i-n-k-l-e-s like a crystal chandelier when Bing starts his melodious love-making.

BRACKETT & WILDER

Gifted Oscar-winning producer-director combination, give a gay, foxy view of a pampered social set. Variety acclaims them for "the zing dialogue, the zippy pace." Film Daily for "the frisky comedy."

ROUSING MUSIC

Bing sings 5 of his happiest hits including "The Kiss In Your Eyes" by Johnny Burke and Richard Heuberger, "Friendly Mountains" by Burke and Joseph Lilley, "The Whistler and His Dog" by Roger Pryor—and others.

TECHNICOLOR SPECTACLE

Indoor grandeur! Outdoor wonderlands! Glamorizing gilded palaces and perfumed retreats in the emerald-green mountainous Tyrol.

BING'S GRANDEST ROMANCE

He's a Yankee salesman selling a scandalous bill-of-goods to Countess Joan. Even their dogs are in love—and in the dog-house.

HILARIOUS COMEDY

Treatment so sly, so unusual that it sends across the screen a fresh breeze of merriment that grows to a tornado of laughs because, as Film Daily notes with delight: "It's strewn with clever gags."

gain Be Equalled On The Screen

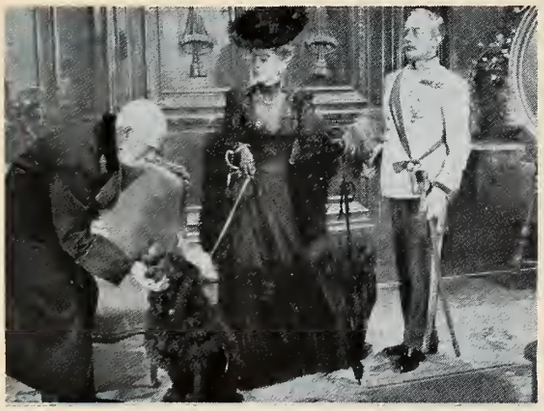
The Splendor of These Famous Scenes Will Be The 7 Wonders Of The Screen!

Schoenbrunn Palace Ball, Paramount's g
set since before the war

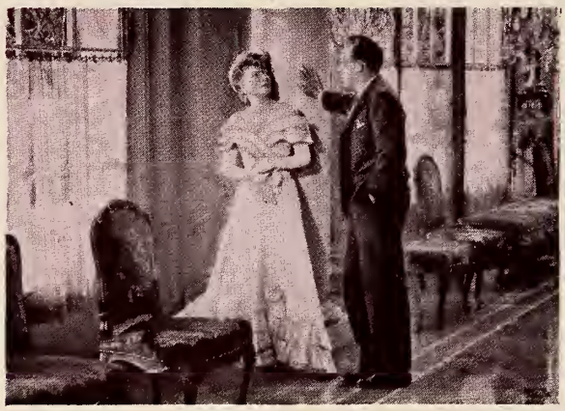
A whole Tyrolean village bursting into joyous song

Bing gives palace guards a sales pitch on an early model juke-box

Royal romancing (but beautiful) on an e
chanting built-to-order island



An imperial audience granted to a poodle of imposing lineage



Bing bagging his countess in the grandeur of marble halls

The Crosby yodel bringing a new kind c
song to the Bavarian Alps

POODLE ABDICATES FOR LOVE
Scheherazade trades royal birthright for love of Buttons, a gum-chewing Yankee mutt, in what Hollywood Reporter calls "the canine love affair that upsets an empire."

THE CURTAIN RISES
May 26, at the Paramount Hollywood with a Gala Red-Carpet Night Premiere of

BING CROSBY · JOAN FONTAINE
in
"The Emperor Waltz"

Color by
TECHNICOLOR

with Roland Culver · Lucile Watson · Richard Haydn · Harold Vermilyea
Produced by Charles Brackett · Directed by BILLY WILDER
Written by Charles Brackett and Billy Wilder

• • •

TO BE FOLLOWED BY THE
Eastern Premiere,
Radio City Music Hall, Early in June

Allied Artists Heads Confer on Coast

HOLLYWOOD, May 23.—Eastern and Allied Artists home office sales executives here are in a three-day conference, which started yesterday, on sales policies for Roy Del Ruth's "The Babe Ruth Story" and King Brothers' "The Dude Goes West." Key decision to be made is whether to roadshow the "Babe Ruth" production; the recent U. S. Supreme Court decision in the Paramount case bans price-fixing.

Here from New York are Maurice Goldstein, AA's general sales manager; Edward Morey, vice-president, and Norton V. Ritchey, head of foreign distribution. Meeting with them are Steve Broidy, president; George W. Burrows, executive vice-president and treasurer, and Harold Mirisch, vice-president.

Also on the agenda are discussions on the promotion aspects of the two productions, in which conferences Buchanan and Company representatives are participating as Allied's advertising agents. The Eastern group will leave here for New York on Wednesday.

Yates to Go to UK For Korda Parley

HOLLYWOOD, May 23.—Predicting that the United Kingdom will once again use American pictures for 75 per cent of its programs now that the *ad valorem* tax has been lifted, Sidney Meyers, British Lion assistant manager in charge of foreign sales, told a press conference at the Republic studio, where he has been conferring with Republic president Herbert Yates, that Republic's plan for production in England is awaiting the arrival of Yates in London for conferences with Sir Alexander Korda.

Meyers, who left here with Yates for New York at the weekend, said that British Lion will increase its production schedule from six to eight features this year.

Record Booking for Andy Smith Drive

Some 14,870 theatres have booked product for 20th Century-Fox's "Andy Smith Anniversary Month," a company record. The drive will run from May 30 to June 26.

Warner in DC Today

WASHINGTON, May 23.—Warner Brothers president Harry M. Warner is due to arrive here tomorrow to address the National Council for Community Improvement.

OF COURSE
you're going to book...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

2 Pa. Houses 'Plug' Rivals' Presentation

Pennsylvania, which embraces the "City of Brotherly Love," can now also claim distinction as the state with "friendly competitors." In advertisements in local papers the Senate Theatre of Harrisburg and the Astor of Reading urged patrons to see 20th Century-Fox's "The Iron Curtain" at the Colonial and Embassy theatres, respectively.

UA Rejects SOPEG

(*Continued from page* 1)

through past negotiations between the company and the union."

"To demonstrate our good faith a step further," the company said in its statement to the employes, "if SOPEG will reconsider its stand and will swear that they are not Communists, by means of signing proper affidavits, and will make out the necessary financial statements which go along with signing the affidavits, we will be glad to enter into negotiations with them as your bargaining agent."

Would Deal with Other Agent

The company added that meanwhile if SOPEG "finds it impossible to sign these affidavits because of its beliefs and ideologies, the company will bargain with (a) a group of our employes representing the unit formerly known as the SOPEG unit, or (b) any other union which you people may see fit to bring in as your bargaining representative provided that union has complied with the laws of these United States."

This latter assertion may have referred to the IATSE (AFL), whose home office local, No. H-63, has signed up an "overwhelming majority" of the 140 workers in the SOPEG unit, and whose attorney, Judge Matthew M. Levy, has already filed with the National Labor Relations Board in behalf of the "majority" a petition for a shop election.

SOPEG Hits UA, 'IA'

NLRB will set an election "immediately unless SOPEG tries to delay it," H-63 asserted at the weekend in a circular accompanied by a report issued by *Counterattack* on the alleged extent to which SOPEG's mother union, United Office and Professional Workers of America (CIO), is supposed to be Communist-controlled. SOPEG countered with a circular terming UA and the "IA" a "union-busting combination" and holding that the UA workers are "threatened with wage cuts and layoffs when their contract expires on May 31."

In giving the employes assurance that union privileges would not be affected, UA explained its position with reference to SOPEG as follows: "To us, the determining factor is that, during the stress and strain of world conditions today—when our Government is frankly worried about its relationship with Russia, when it is deeply concerned about the effect that Russia's Fifth Column, the Communist Party, may have upon it—it is unthinkable that an American corporation should enter into any kind of an agreement with any group who will not come right out with the statement, 'I am not a Communist'."

Trumbo, Lawson

(*Continued from page* 1)

Trumbo, declaring the writer had "openly and flagrantly defied" the legislative branch of our Government, and that his action therefore merited "the extreme limit of the law".

Pine pointed out that he legally could have sentenced Trumbo to two years and $2,000 for having been convicted on two counts, refusing to tell the House Un-American Activities Committee whether he was a Communist and refusing to say whether he was a member of the Screen Writers Guild. However, Pine continued, he regarded this as one offense, and therefore was only imposing the single sentence.

Charges 'Blacklist' Intent

Earlier, Pine had heard defense counsel Charles Houston admit "for the purpose of this argument" that the Committee's questions were pertinent, but argued that "the Committee passed beyond the scope of legislative inquiry when it attempted to blacklist Trumbo". He said the Committee was compelling Trumbo to answer a question designed chiefly to impose economic sanctions.

Trumbo himself told Judge Pine that as a union member he had learned how important it was for working people to be able to organize without their employer's knowing who belonged to the union. He said he knew he was permanently banned from earning his living as a screen-writer but had done nothing which he regretted.

Lawson's proceedings before Judge Edward M. Curran were considerably briefer. Curran allowed no argument at all, declaring he had read the defense briefs and found no merit in them. After allowing Lawson to read a brief statement he dryly passed sentence.

Lawson Stresses 'Free Speech'

Lawson told the Court he had practiced film writing as he had practiced citizenship, "with a sense of responsibility and social purpose".

The writer's statement stressed the right to engage in political activity as being basic to freedom of expression, and said that "freedom of political activity cannot exist if it is subject to interference, review or exposure by officials".

Writer Lester Cole also appeared in Court Friday, to waive jury trial and have the record in his contempt case agreed to and taken under advisement. Six writers and directors now have cases under advisement, waiting the outcome of the Trumbo-Lawson appeals.

E-L Concludes Its Second Sales Meet

CHICAGO, May 23.—Cash prizes to Eagle-Lion field exploiteers producing the best campaigns during the "Bill Heineman Sales Drive" which starts June 4, were made here yesterday by Max E. Youngstein, advertising-publicity vice-president, at the second of the company's four regional sales meetings, held at the Blackstone Hotel.

The meeting was also addressed by Heineman, distribution vice-president; L. Jack Schlaifer, his assistant, and Herman Beiersdorf, Western sales manager. Others present included district managers Edward Heiber, Clair Hilgers and Beverly Miller, and branch managers and sales personnel from Chicago, Detroit, Indianapolis, Milwaukee, Minneapolis, Kansas City, St. Louis, Omaha and Des Moines.

The exploitation prizes are apart from the $27,500 in prizes to sales personnel and managers for results in the Heineman Drive.

Following the meeting here, Heineman, Youngstein, Schlaifer and Beiersdorf leave for New Orleans for the third meeting, at the Roosevelt tomorrow. The concluding meeting will be held in San Francisco, at the St. Francis Hotel, on May 29.

RKO Seeks Release

(*Continued from page* 1)

the Palace operating under the Orpheum Theatre Co. and the Grand operating under the Winston Theatre Co. The RKO Corp., he said, however, was the parent company of all.

Seeley contended that the portion of the decree which applied to exhibitor defendants did not apply to the RKO theatres.

Eventual decision by Judge Igoe on the RKO issue may determine whether or not the Palace and Grand must continue to comply with the two-week limit on Loop runs for defendants' theatres.

The petition entered by Thomas McConnell, Jackson Park attorney, to clarify ambiguities in the decree was postponed until the RKO matter is settled.

Hadfield to Vienna

BOSTON, May 23.—Hurd Hadfield, stage and screen player, plans to leave for Vienna in August to appear in a picture with Suzanna Foster, if he can secure a release from a stage commitment. His last work was with 20th Century-Fox in Hollywood.

Tonight
Carnation Contented Hour
STARRING BUDDY CLARK
STATION NBC
10:00 P.M.
FRANCES LANGFORD
Introducing and singing
"ONCE UPON A WINTERTIME" from
WALT DISNEY'S
NEW TECHNICOLOR MUSICAL
"MELODY TIME"
RELEASED BY
RKO-Radio Pictures
©WDP

RKO Net

(*Continued from page* 1)

when record profits were reported, the 1947 figures compare favorably with earnings for each of the three years prior to 1946.

Consolidated operating income for 1947 was $123,109,047, compared with $120,125,634. This included theatre admissions, film rentals and sales, rents and other income. Other gross income for 1947, including equity in the profit of unconsolidated foreign subsidiaries, dividends and interest, and profits on investments, amounted to $5,966,985, compared with $2,175,253 in 1946.

Theatre Profits Above '46 Net

In the letter to stockholders, Rathvon pointed out that ordinary operating earnings of theatre subsidiaries in 1947 were only moderately below the record levels of 1946 and that, after taking into account capital gains realized in the sale of several properties, theatre profits exceeded those of 1946.

Included in the capital gains was profit realized upon the sale of RKO-Pathe Newsreel and of three theatres. The report points out that reserves were created of $2,000,000 against the cost of some pictures in inventory and $500,000 against equity in foreign subsidiaries, and that write-offs were taken aggregating approximately $2,200,000, principally of investments in independently-produced pictures. All such reserves and write-offs were charged against the profit and loss account for 1947.

Financial Improvement Noted

The report states that the general financial position of the corporation continued to improve during 1947. Working capital increased during the year approximately $4,000,000, exclusive of increment of $9,000,000 from bank borrowings by the picture company. Total working capital at the end of 1947 was approximately $53,000,000. At the end of 1947 outstanding indebtedness under the picture company's five-year revolving credit arranged in April of that year was $9,000,000 and theatre subsidiary indebtedness totaled $20,600,000.

Rathvon pointed out that motion picture companies generally experienced sharp decreases in earnings from production and distribution in the latter part of 1947 due to increased costs of production in the face of moderate decline in domestic income. He stated that economies in distribution and exhibition departments had tended to offset the loss of revenue but that economies in the production department will not be reflected generally in 1948 results due to the system of amortization by which production costs are charged against operating revenue.

'Conservative' Stand on Dividends

Rathvon pointed out that while dividends on RKO common stock were paid at the rate of 30 cents per share in each of the first three quarters of 1947, directors of the company decided near the end of the year to adopt a conservative viewpoint with respect to dividends and a dividend of 15 cents per share was paid in the last quarter of 1947 and in the first quarter of 1948. Aggregate cash distributed to stockholders on the four dividends applicable to 1947 was $4,087,321, Rathvon reported.

Review

"So Evil My Love"

(*Wallis-Paramount*)

PERFORMANCES by Ray Milland and Ann Todd run rather substantially ahead of their material, and Miss Todd's ahead of Milland's, in "So Evil My Love," which Hal B. Wallis produced last year in London. Based on a novel by Joseph Shearing and a script by Leonard Spigelgass and Ronald Millar, this is a heavy and unrelieved drama about a grand passion leading to murder and double murder.

In essence, it tells about Miss Todd, a missionary's widow quite evidently thwarted in love who meets Milland on a ship bound from Jamaica to England, and nurses his malaria. It is established early that Milland, a painter of sorts himself, lives by pilfering old masters. Ingratiating himself with Miss Todd whose house he seeks as a hideaway, it is not long before she falls violently in love with him.

While the relationship is conveyed as platonic, Milland becomes responsible for her deterioration. He persuades her to blackmail Raymond Huntley, husband of Geraldine Fitzgerald, her school chum who has been romancing with another man, and to separate the chum from her negotiable bonds. So irretrievably gone is Miss Todd on Milland that she finally doctors Huntley's medicine—he suffers from heart attacks—and brings about his death although it is Miss Fitzgerald who doles out the poison. Execution facing Miss Fitzgerald, Miss Todd persistently sticks by her guns in order to protect Milland from exposure, although the pangs of remorse grow. Learning of Milland's two-timing romancing and refusing to believe he is finally on the square with her, she stabs him to death in a hansom, gives herself up to the authorities and presumably clears Miss Fitzgerald.

"So Evil My Love"—a good title, by the way—has many stretches of interest and dramatic value. Its leads do very well indeed, although the odds go to Miss Todd. The small supporting cast is competent. But the treatment saw fit to tell this in 109 minutes. Thus, it takes too long for the climax to foment and it softens impact through over-extension of scenes and dialogue. Technically, the attraction reflects care and a high degree of excellence. In this respect, certainly it stands with Hollywood's professional best. Lewis Allen directed.

Running time, 109 minutes. Adult audience classification. Release date, August 6, 1948.

RED KANN

Rodner Gets Annual MPA 'Beacon Award'

Harold Rodner, Warner Service Corp. vice-president, was presented with the annual "Beacon Award" for humanitarian activities by Motion Picture Associates at the organization's 29th annual dinner and dance held Friday night at the Waldorf-Astoria Hotel here. Arthur Mayer, MPA president, made the presentation. The dinner-dance had as its theme a "Salute to the Will Rogers Memorial Hospital."

Among industry executives on the dais were: William F. Rodgers, Dave Weinstein, Ed Rugoff, Sam Rinzler, Malcolm Kingsberg, Si Fabian, Fred Schwartz, Bernard Kranze, Gus Eyssell, George Schaefer, Leo Brecher and Jack Ellis. Hiram Sherman was master of ceremonies.

Wolf Back in Boston

BOSTON, May 23.—M. N. Wolf, assistant to Henderson M. Richey of M-G-M's public relations department, has returned here after fulfilling speaking engagements in the Cleveland, Chicago and Minneapolis areas. Wolf has some engagements in the New England territory for the next few weeks.

Dan Nolan Deceased

HOLLYWOOD, May 23.—Dan Nolan, brother of Joseph Nolan, RKO Radio vice-president in charge of contracts, died suddenly Thursday night. The deceased was a former RKO Radio exchange operations representative in New York and a former travelling auditor for the company.

Films for Dexter, N. M.

DEXTER, N. M., May 23. — Dexter will have films when Joe H. Gray, local grocer, remodels a building into a 230-seat theatre.

Para. Undecided

(*Continued from page* 1)

tres as constituting in and of itself a violation of the Sherman Act, but holds that it is necessary that more evidence be taken as to the circumstances surrounding the acquisition of theatre interests, the character of their use by the corporation after acquisition and the nature of the relationship between the corporation and its affiliated theatre owners to determine whether such ownership is illegal.

"Arrangements for resumption of the trial in the lower court have not yet been made. We do not know just when the trial will be resumed. We are making a careful and thorough study of the opinion of the Supreme Court. We have not reached final conclusions as to its full meaning and any conclusions we do reach will be subject to developments and rulings in the course of the trial in the lower court and to further review by the Supreme Court. In these circumstances, it is impossible for me to predict the outcome of the litigation or to tell you now what our position is or will be in relation to the numerous problems which the decision presents to us.

"You may be assured that every step we take in connection with, or as a consequence of, this litigation will be taken with a view to husbanding the assets of the corporation so as to preserve the fullest possible measure of their value for our stockholders."

Balaban Named Chairman

CHICAGO' May 23. — John Balaban, president of Balaban and Katz, has been appointed general chairman of an American "re-dedication" period from June 26 to July 4 which will precede the visit here of "Freedom Train" on July 5. Also representing the film industry on the committee are Arthur Schoenstadt, head of the Schoenstadt circuit, and Nate Platt, in charge of operations for B. and K.

Coast Production Continues to Rise

HOLLYWOOD, May 23.—The production level rose again, to 37, at the weekend, against an index of 35 for the previous week. Cameras started on 10 new films while eight were completed.

Shooting started on "Hearsay," "Blondie's Secret" and "El Dorado Pass," all Columbia; "Act of Violence," M-G-M; "Whispers in the Dark," Republic; "Take Two to Tenses" (Goldwyn), RKO Radio; "The Return of Wildfire," Screen Guild; "The O'Flynn" (Fairbanks), Universal-International; "The Girl from Jones Beach" and "The Younger Brothers," Warner Brothers. Shooting finished on "Rusty Pays a Debt" and "Loaded Pistols," Columbia; "Drums Along the Amazon," Republic; "Bodyguard," RKO Radio; "Road House," 20th Century-Fox; "Rogue's Regiment" and "Larceny," Universal-International; "Smart Money," Warner.

Para. Directors

(*Continued from page* 1)

Y. Frank Freeman, Harvey D. Gibson, Leonard H. Goldenson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John D. Hertz, Austin C. Keough, Earl I. McClintock, Maurice Newton, Charles M. Reagan, E. V. Richards, Edwin L. Weisl and Adolph Zukor.

Payments made by the company and its subsidiaries to officers and directors in 1947 totalled $1,199,783, stockholders are informed. President Balaban received $156,000; Henry Ginsberg, production vice-president, $241,000; Freeman, vice-president, $130,000; Goldenson, theatre vice-president, $91,000; Keough, vice-president and chief counsel, $91,000; Reagan, distribution vice-president, $86,233; Zukor, board chairman, $109,750.

The proxy statement discloses that no further contribution to its pension trust fund is contemplated by Paramount, "except to cover expenses of administration as provided by the plan." It is explained that "benefits payable under the plan will be derived from individual annuity contracts or from the reinvestment by the trustees under the plan of the proceeds of individual annuity contracts which have been surrendered for cash."

The further disclosure is made that the plan for establishment of an Employees Investment Co., approved by the stockholders last year, is still to be put into operation. Employees Investment Co. was designed to make it possible for certain key employes of Paramount to obtain a stock interest in the corporation through their ownership of stock in the EIC. It was felt that the plan would provide an incentive for Paramount's key employes and guarantee the retention of their services, it was said.

See Video Delay

(*Continued from page* 1)

FCC said, it will authorize postponement of hearings in any areas where additional channels may be obtained, will postpone hearings on the request of the parties involved in areas where channels may be reduced, and will go ahead only in those areas where no changes have been ordered or proposed. It also listed several cities in which hearings have already been postponed, including Dallas, where Paramount has an application pending.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 101 NEW YORK, U.S.A., TUESDAY, MAY 25, 1948 TEN CENTS

Free Markets Would Aid the World: Warner

He Says Films Are a Key To Community Progress

WASHINGTON, May 24. — Free and unfettered international distribution of American motion pictures would accomplish much towards the improvement of our relations with other countries throughout the world, Harry M. Warner, president of Warner Brothers, declared today.

Harry M. Warner

He told the National Council for Community Improvement that "going to the movies has taught more than one person how to get along with the rest of the world."

"Wouldn't it be wonderful," he said,

(*Continued on page* 4)

Brisson to Open Offices Here, Abroad

Frederick Brisson, executive producer of Independent Artists, Inc., in which he is co-partner with his wife, Rosalind Russell, and Dudley Nichols, will open a New York office with Samuel Hacker as Eastern representative. Hacker has been in the industry for 10 years with both Columbia and Republic Pictures. He was most recently with the latter as manager of the contract and playdate department and assistant to the general sales manager and foreign sales manager.

The new Eastern representative will act as the producer's representative

(*Continued on page* 4)

SOPEG Hits H-63 in Notes to 'IA' Heads

Sidney Young, president of Screen Office and Professional Employes Guild (CIO) here has sent to presidents of New York IATSE (AFL) locals and to other CIO local presidents a circular letter charging that "IA" Motion Picture Home Office Employes Local No. H-63 "raided"

(*Continued on page* 2)

52-a-Year For Reich

Motion Picture Export Association will release 52 pictures a year in the American and British zones of Germany from now on, it was disclosed here yesterday by Marian Jordan, MPEA general manager in Germany, who is in New York to help select features for showing in the Reich. He pointed out that the total number of U. S. pictures released through MPEA in Germany last year was 30, and said that Britain will release about 24 in both zones next year, the same number that country marketed last year, through J. Arthur Rank's Eagle-Lion Export Co.

Jordan said that MPEA's product plays 1,500 of the 2,245 theatres in the bi-zonal area which includes the Berlin sector. Reason more theatres are not reached, he said, is that there is a shortage of rawstock in Germany. MPEA has been devoting about seven prints to each picture currently in release in the zones.

German producers made five pictures in the British zone last year and two in the U. S. zone, Jordan said,

(*Continued on page* 4)

11 New Southern Theatre Projects

NASHVILLE, May 24. — Eleven new theatre projects were reported here last week in six Southern states by *Dixie Contractor,* as follows:

Greensboro, N. C., theatre, Modern Enterprises; John F. Wicker, architect; to cost $100,000; Lincolnton, N. C., drive-in, A. E. Miller, Lincolnton, owner; M. R. Marsh, architect; (same architect drawing plans for houses for same owner in Lincolnton, Madden, and Stanley); Clinton, S. C., theatre; Leland Young, Clinton, owner; Erle G. Stilwell; Dallas, Ga., theatre, Windell Welch, Dallas, owner;

(*Continued on page* 5)

Irving Marks Named Monogram Manager

MINNEAPOLIS, May 24.—Monogram has granted the request of Morrie Steinman that he be relieved as company branch manager here and will be succeeded by Irving Marks, it was announced by Sol Francis, Midwest district manager. Change is effective June 1. Steinman has agreed to remain with the company as sales manager at the branch.

Marks is currently city sales manager for Columbia in Minneapolis, and except for two years in service has been with the company since 1928.

Canada Ticket Taxes Rise to $15,369,000

Ottawa, May 24.—The Canadian government reports that revenues derived from amusement taxes increased to $15,369,000 in 1947-48, compared with $14,552,000 in 1946-47, and $13,387,000 in 1945-46.

Max Cohen Charges 3 with a Conspiracy

A $1,800,000 triple-damage anti-trust suit was filed in U. S. District Court here yesterday by Max A. Cohen enterprises against RKO Radio, 20th Century-Fox and Warners, one of the charges being that a conspiracy exists among the three whereby any two refrain from theatre competition with the other in various areas of the U. S.

Plaintiffs are Anco Enterprises and Anwell Amusement Corp., both of New York and both headed by Cohen, whose New Amsterdam Theatre here, the complaint alleges, was discriminated against by the defendants. Milton Weisman of the law firm of Weisman, Celler, Quinn, Allen and Speet, is attorney for Cohen.

Named also as defendants are Radio-Keith-Orpheum Corp., and Warner Brothers Distribution Corp. The suit asks the court for a permanent injunction to restrain the defendants from allegedly refusing to con-

(*Continued on page* 5)

Goldwyn and Korda In UK Filming Deal

Samuel Goldwyn and Sir Alexander Korda have concluded an agreement for the joint filming of "The Scarlet Pimpernel" with David Niven. Korda recently made a similar arrangement with David Selznick and he also has a releasing commitment with 20th Century-Fox.

The picture will be made in England with Emeric Pressburger and Michael Powell as producer and director, as soon as Niven arrives in London in July. It will be distributed in the Eastern Hemisphere by the Korda organization and in the Western Hemisphere by Goldwyn.

Carolina T. O. To Meet June 20-23

CHARLOTTE, May 24. — Theatre Owners of North and South Carolina will hold its semi-annual convention at Myrtle Beach, June 20-23. Guest speakers will include Gael Sullivan, Robert Coyne and Herman Levy of the Theatre Owners of America.

Attack Gov't Petition for Clarification

Schine Claims U. S. Is Seeking a Reversal

WASHINGTON, May 24. — Schine Chain Theatres, Inc., today opposed a Government petition that the Supreme Court clarify its Schine decision and order a trustee to sell five theatres still unsold under the May, 1942, consent order, declaring that the purpose of the Government's petition is "patently not clarification of any ambiguity . . . but an obvious attempt to persuade the court to reverse itself."

The Justice Department had said that the execution of the consent order did not depend on the further divestiture proceedings ordered by the high court's decision. It declared the decision was not clear whether the sale of these five theatres was to go ahead or wait.

Schine answered that there was no doubt that the court's opinion did include the five theatres. In the order

(*Continued on page* 5)

Sees No Monopoly In Allied's Buying

WASHINGTON, May 24.—Allied States chairman and general counsel Abram F. Myers today scoffed at reports that Allied's film buying and Caravan activities might be opened to attack by the Supreme Courts' film decisions.

Terming such reports "obviously inspired," Myers said that the Griffith decision specifically sanctioned cooperative buying to get price advantages as long as such buying power was not used to hurt anyone. He

(*Continued on page* 5)

Heineman Cautions Salesmen on Decision

CHICAGO, May 24. — Eagle-Lion Midwestern field forces, meeting with William J. Heineman, Eagle-Lion distribution vice-president at the Hotel Blackstone here over the weekend, were cautioned to be more careful "from now on" in the matter of clearance under the Supreme Court decision in the Government's Paramount anti-trust action. Heineman explained the decision and disclosed that the company will sell pictures single and in full compliance with the decision.

Sales policies were discussed on

(*Continued on page* 5)

Personal Mention

NED DEPINET, RKO Radio executive vice-president, has returned to New York from Hollywood.

•

SAMUEL N. BURGER, Loew's International sales manager, and DAVID LEWIS, regional director for Continental Europe, North Africa and the Middle East, have returned to New York from Europe.

•

EDWARD MOREY, Allied Artists vice-president; MAURICE GOLDSTEIN, general sales manager, and NORTON V. RITCHEY, head of the company's foreign distribution unit, will leave the Coast for New York today.

•

HENRY KRUMM, Selznick Releasing Organization district manager in Atlanta, has returned to that city from Charlotte, where he installed SAM HINSON as branch manager.

•

SIDNEY WEINER, New York exchange office manager for Film Classics, and MRS. WEINER have become parents of a daughter.

•

HERB PETTEY, Station WHN managing director, is on the Coast from New York.

•

R. B. WILBY and J. H. HARRISON of Wilby-Kincey Theatres have returned to Atlanta from Birmingham.

Next Move Set on Bordonaro Verdict

Warner and Paramount will file briefs Saturday with Federal Court Judge Harold P. Burke in Buffalo for reargument of their motions to set aside a jury verdict holding them guilty of conspiracy in a triple-damage anti-trust action brought by Bordonaro Brothers Theatres, Inc., of Olean, N. Y., according to legal spokesmen here for both companies.

Judge Burke rejected the Warner and Paramount motions last week while upholding a similar motion by RKO Radio. The jury verdict holding Warner, Paramount and RKO guilty also dismissed charges against four other defendants named by the operator of the Palace Theatre in Olean.

Reject Injunction Motion by Kimbark

CHICAGO, May 24.—Federal Judge Michael Igoe has denied a petition in U. S. District Court here filed by Seymour Simon, attorney for the Kimbark Theatre, for a preliminary injunction restraining the Tivoli, Tower and Maryland, Balaban and Katz neighborhood houses, and the Lex, operated by the Manta-Rose circuit, from double-featuring ahead of the Kimbark. The Kimbark is plaintiff in a $510,000 anti-trust suit against the majors and circuits here.

No date has been set for hearings on the suit.

Actors' Equity Meet To Be Held Friday

Annual meeting of Actor's Equity, with election of a vice-president to serve one year and 10 councillors to serve five years highlighting the agenda, will be held at the Hotel Astor here next Friday. Basil Rathbone has been nominated for the vice-presidential post and nominees for the council positions are: Edith Atwater, Sidney Blackmer, Clay Clement, Edith Meiser, Eddie Nugent, Erin O'Brien-Moore, Barbara Robbins, Bill Ross, Loring Smith and Ann Thomas.

Chorus Equity Association will hold its annual meeting on June 4 at the Hotel Capitol here. Paul Dullzell has been nominated for chairman of the executive committee, to serve one year.

Eddie Foster Heads Atlanta Colosseum

ATLANTA, May 24.—Eddie B. Foster has been elected president of the local Colosseum of Motion Picture Salesmen of America. Other officers are: vice-president, Harris Wynn, Jr.; board chairman, Frank Salley; treasurer, Harry Dashiell; recording secretary, W. R. Word; financial secretary, C. T. Jordan, Jr.

The Colosseum is preparing for an NLRB election which will determine whether the organization will be the bargaining agent for salesmen.

SOPEG — H-63

(*Continued from page* 1)

SOPEG's shop at United Artists' home office and that the alleged raid will start layoffs and salary cuts throughout the industry. Letter asks for a conference on the issue.

H-63 spokesmen, meanwhile, continue firm in their contention that it was a spontaneous movement among the UA "white collar" workers that resulted in the resignation from SOPEG of an "overwhelming majority" which has signed with H-63. The "IA" local claims 95 of the 140 employes who were members of SOPEG.

Over the weekend, SOPEG members distributed circulars in the vicinity of the Globe Theatre here to passers-by. The circulars urged the public to write to UA president Gradwell L. Sears in protest against the company's "using the Taft-Hartley Law as a device to break our union." The "IA" was not mentioned in the circulars, nor was the AFL. "Arch of Triumph," a UA release, is playing at the Globe.

Negotiate Video Series

HOLLYWOOD, May 24.—Indicative of growing collaboration between video and films are current negotiations in which the Atkins-Gilbert Agency seeks to affiliate producer-director Maxwell Shane with the production of a series of television pictures sponsored by Admiral Radio Corp. Agency is bidding for Shane's services in an executive consultant capacity. He is now preparing to produce "The Salem Frigate," Geffen-Shane initialer, as well as "The Amboy Dukes" for Universal-International.

Trammell Gives Rates For Coast Video

HOLLYWOOD, May 24.—Rates of KNBH, NBC television station scheduled to go on the air Oct. 1, will be $500 per hour for time, $750 per hour for studio use and $250 for film, it is disclosed here by Niles Trammell, president of the network.

Trammell also disclosed that NBC's kinescope recording service will be used for the first time next month with *Life Magazine's* presentation of the highlights of the national political conventions on NBC's video network. Kinescope recordings, consisting of film made directly from the tube of a television receiver, will be flown to stations not connected to NBC's television network by coaxial cable or radio relay.

To Name New Heads Of Coast Circuit

SEATTLE, May 24.—Appointment of new executive officers to operate the former Jensen and Von Herberg enterprises is expected to be made by William Edris, the new owner, within a few days.

Edris acquired the properties last week for an estimated $2,000,000 from Claude Jensen, now of Portland, who has been inactive in the operation of the theatres for some time past, and from the estate of the late John Von Herberg. Edris is a Pacific Coast hotel operator.

Wilkie Heads Miami Paramount Publicity

MIAMI, May 24.—Al Wilkie, former New York home office publicity manager for Paramount Pictures, has been named publicity-advertising director for Paramount Enterprises in Greater Miami, by George C. Hoover, general manager of the group here.

Wilkie resigned from his post with Paramount over a year ago and has been vacationing in Miami. He succeeds Tom Jefferson, who resigned recently to open his own agency.

20th 'Grass' Bows in Lancaster, O., Today

Twentieth-Fox's "Green Grass of Wyoming" will have its premiere today at the Palace and Broad Theatres in Lancaster, Ohio. More than 300 day-and-date engagements, which will start off the "Andy Smith Anniversary Month" drive, will follow immediately.

Skouras to Give Awards

HOLLYWOOD, May 24.—Charles Skouras, honorary colonel of Allied Post No. 302, American Legion, will award medals and citations to winning ROTC cadet units at the organization's annual Americanism dinner at the Ambassador, tomorrow evening.

Law Firm Adds Two

George A. Raftery and Milton M. Rosenbloom have been admitted to partnership in the New York law firm of O'Brien, Driscoll, Raftery and Lawler, which has many clients in the film industry.

Truman Names FCC Woman Commissioner

WASHINGTON, May 24.—President Truman today nominated Frieda B. Henock, New York attorney, as the Federal Communication Commission's first woman commissioner. If confirmed by the Senate, she will serve a seven-year term starting July 1, when Commissioner Clifford Durr's term expires.

Finish First Series Made for Television

HOLLYWOOD, May 24. — Jerry Fairbanks Productions has completed a series of 26 20-minute films, described as the first such series ever produced, directed and acted solely for television purposes. Using screen talent, and directed by Lew Landers, the series was shot in 11 weeks on 35mm. and will be reduced to 16mm. for distribution.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

VERONICA LAKE
JOAN CAULFIELD
BARRY FITZGERALD
"The Sainted Sisters"
A Paramount Picture
in Person
BUDDY MORENO and his Orchestra
LINA ROMAY
THE WIERE BROS
Extra HENNY YOUNGMAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Merle OBERON · Robert RYAN · Charles KORVIN · Paul LUKAS
Berlin Express
RKO RADIO PICTURE
VICTORIA Theatre
BROADWAY at 46th STREET

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR
B'WAY & 45th ST.

ERROL FLYNN
ANN SHERIDAN
"SILVER RIVER"
IN PERSON
EDDY DUCHIN
AND HIS ORCHESTRA
and ARTIE DANN
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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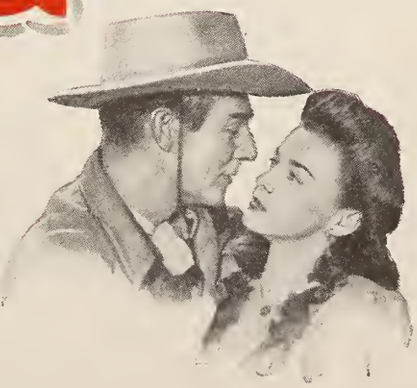
BRUTAL

and breathtaking as THE SATURDAY EVENING POST story!

CORONER CREEK

IN CINECOLOR



CORONER CREEK stars RANDOLPH SCOTT and MARGUERITE CHAPMAN

with George Macready, Sally Eilers, Edgar Buchanan • Screenplay by Kenneth Gamet, adapted from the novel, "Coroner Creek", by Luke Short • Directed by Ray Enright • Produced by Harry Joe Brown

A COLUMBIA PICTURE

One of the most rugged Western dramas ever screened!

S. R. O. Field Plans Set on 'Blandings'

With first-run, key-city release dates set for June 11 for "Mr. Blandings Builds His Dream House" in the Roosevelt and Des Moines theatres, Des Moines, promotional men are being assigned by Selznick Releasing Organization to coordinate campaigns.

Ted Baldwin, national promotion director, will handle campaigns in Albany and New England; Frank McNamara will visit Atlanta, Chattanooga, Memphis and Knoxville, and later, Rochester, Syracuse, Buffalo and Utica; George Bennett will go to Pittsburgh, Baltimore, Washington, Cleveland, Toledo and Detroit; Ted Tod will be in charge in Des Moines, Chicago, St. Paul, Louisville, St. Louis, Omaha, Indianapolis, South Bend, Kansas City and Grand Rapids.

Ben Babb and Max Bercutt will handle the Pacific Coast and the Rocky Mountain section, and Robert M. Gillham, Eastern advertising-publicity director, will handle the Southwest.

MPEA, Reich

(*Continued from page* 1)

pointing out that there is little likelihood of an increase in German production because of equipment and material shortages. A new studio is under construction in the British zone, and one is being built in the French zone, he said. The British, U. S. and French zones do not exchange films with the Russian zones where, incidentally, the best German rawstock plants are situated, Jordan reported.

New Brisson Offices

(*Continued from page* 1)

with RKO Radio, his distributor, as well as represent the company for talent and stories.

During Brisson's New York stay he has completed arrangements with bankers for a revolving fund to take care of Independent Artists' requirements.

Brisson will leave for Europe in June to set up European offices and representation.

Review

"The Time of Your Life"

(*Cagney-United Artists*)

WILLIAM SAROYAN collected an array of honors for "The Time of Your Life," his play on which this kindly and warm, but unorthodox, attraction is based. Acclaim heaped upon the stage version, which the film resembles strongly, included the Pulitzer Prize and the New York Drama Critics' Circle Award.

"There is no 'plot' in the ordinary sense in this story," the foreword wisely sets forth. "Rather, it is a comedy of characters, moods, tempo and arresting incidents—all welling up into a crescendo which marks the climax. Each sequence is a cameo in itself yet all combine as a commentary of Life in our Time."

In a sense, this foreword turns out to be the review. Plot, as commonly expected and accepted, is absent. Characters and moods and a quiet tempo, in the main, assuredly are strong assets. Not all sequences are cameos. The argument can be supported that the combined results do emerge as commentary of life in our time.

Saroyan draws a sharp reaction with his stage plays. Audiences either are for or against his ofttimes penetrating, if often strange, philosophic approach to men and the effect of events upon them. Inevitably, this will be the case with "The Time of Your Life."

James Cagney, who believes in dreams more than he does in statistics, is the central character around whom a number of others gravitate. He symbolizes the good, the kind and the understanding and appears to proceed on the conviction all those who cross his path share these attributes with him. Thus, he befriends Wayne Morris and sees to it that he and Jeanne Cagney, lady of doubtful virtue, seal their love match. He influences William Bendix, who runs the San Francisco beer dive in which practically the entire action—if it can be called that—takes place, to give a job to downbeaten Reginald Beane, who plays the piano, and to Paul Draper, who dances. Cagney appears to have time and patience with all comers, including James Barton, prevaricating old prospector, and rises in an aroused fury to eliminate Tom Powers, symbolizing the forces of evil, when Powers threatens to wreck the romance between Morris and Miss Cagney.

While these characters and others, including love-sick Jimmy Lydon, pin-ball machine addict Richard Erdman, newsboy Lanny Rees, waterfront character Pedro de Cordoba, appear throughout, the lines holding them together are very tenuous. "The Time of Your Life" moreover, is difficult to assay because it follows no well-worn film groove and, as its only parallel, recalls "The Human Comedy," an earlier Saroyan film produced some years ago by Metro.

Performances are of a high order, the most incisive going to Barton. The humor is warm and usually glowing, occasionally exploding into roars. The outstanding single laugh comes along when Erdman hits the pin-ball machine and fireworks go off and flags unfurl; this piece of business is well nigh priceless.

The chief emotional reaction to this unusual and daring venture is its ability to impart a good time to those willing to let it. Whether the broad mass base upon which successes necessarily are predicated will be willing is something else. On the basis of formula and yardstick, "The Time of Your Life" will have to fight for its life. But, while its philosophy may confuse, its comedy will amuse. That, perhaps, may be enough.

William Cagney produced with H. C. Potter directing from a script by Nathaniel Curtis whose reference to the play version is decidedly apparent.

Running time, 109 minutes. General audience classification. Release, May, 1948.

RED KANN

Legion Classifies 11; Four Placed in 'B'

Four films are placed in Class B by the National Legion of Decency in its review of 11 pictures. The four are: "Dreams That Money Can Buy," Hans Richter Productions; "Lady from Shanghai," Columbia; "Not Guilty" (French), Andre Lelarge-Araine Production, and "Women in the Night," Film Classics.

Placed in Class A-I were: "The Gallant Legion," Republic, and "Die Nach Noten" (German), Wien Film. In A-II: "Blonde Ice" and "Will It Happen Again?", both Film Classics; "The Fuller Brush Man," Columbia; "Maria Ilona" (German), Terra Productions, and "Water Front at Midnight," Paramount.

Free Markets

(*Continued from page* 1)

"if we could show our pictures in Russia?"

The motion picture and the film theatre occupy key spots in the progress of the community and, through the community, of the entire country, Warner added.

"The great achievement of the motion picture in the community is that it has made history entertaining," Warner asserted. "It has given the American citizen more and more information from which he can make up his own mind. It has expressed, in terms of entertaining drama, the American ideas of tolerance."

Warner pointed out that, although the primary function of the motion picture is entertainment, it has so broadened the scope of entertainment that it has become a teacher. It has made science and history entertaining, and has given the American people a greater understanding of each other's work, thereby "helping to create better mutual understanding in the community."

"The motion picture gives Americans a chance to see their country, and the rest of the world, as they would never be able to otherwise," Warner added. "It gives them a chance to compare themselves to other Americans, their community to other American communities."

In the process of fulfilling its objective of providing entertainment, the motion picture "also often renders a patriotic, educational and public service," Warner pointed out.

Cagney Here for 'Time'

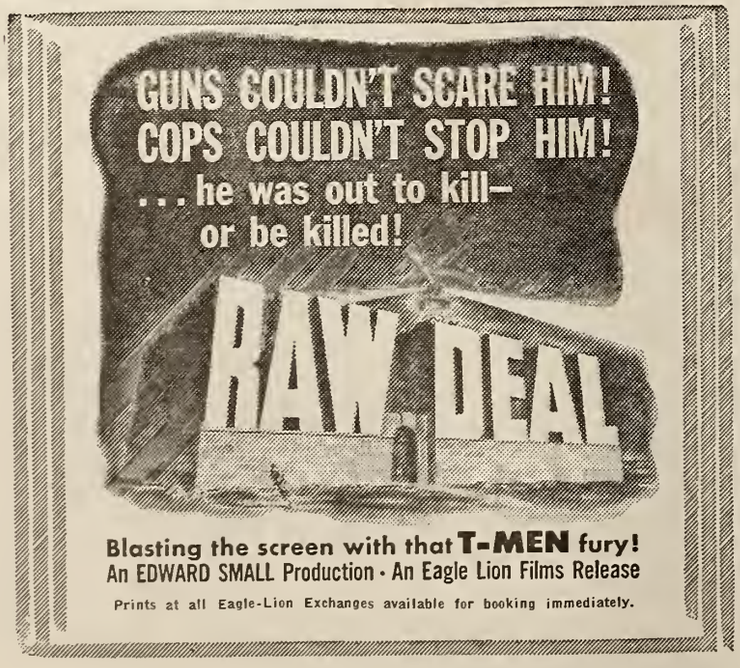
James Cagney, star of "The Time of Your Life," will attend the benefit premiere of the picture at the Mayfair here tomorrow night. With him will be his brother, William, the film's producer, and his sister, Jeanne, who is in the cast. Cagney arrived from Hollywood yesterday.

Charles Cohen with U-I

Charles Cohen is an addition to the Universal - International advertising department here. He formerly was a member of the M-G-M home office advertising and publicity department.

Overseas Benefit Tonight

More than 100 stars will highlight "Command Performance," benefit show which will take place tonight at Madison Square Garden for American Overseas Aid-United Nations Appeal for Children. Guest of honor, General George C. Marshall, will deliver a brief message.



FOR SALE

2—35mm Bell & Howell motion picture rackover camera outfits, complete with magazines, carrying cases, lenses and Akely Gyro Tripods. Also lighting equipment. Call CIrcle 6-0951.

Schine Attacks

(*Continued from page* 1)

for further divestiture proceedings, it declared there was no ground to assume the District Court would have directed the sale of these and 11 other theatres in the consent order except as "part of the general scheme of relief upon which the entire decree rested and which this court has held to be without support in the findings and erroneously grounded in law."

Divestiture of these five theatres, the Schine brief said, must be based on a determination either that their ownership violates the Sherman Act or that their retention violates the agreement underlying the May, 1942 consent order. "In either case, such determination of unlawfulness must necessarily rest upon appropriate finding of fact.

"The conclusion necessarily follows," the brief said, "that the sale or other divestiture of the theatres named in the order is controlled by precisely the same principles and consideration which apply to appellants' other theatres; that no ground has been advanced for placing them in a category in any respect different from such other theatres; that, in their case also, the appointment of a trustee 'merely implements the divestiture provisions which must be reconsidered by the District Court'; that this court's failure to differentiate such theatres was not 'inconclusive' and that the appointment of a trustee is inappropriate and unjustifiable on any ground. It is respectfully submitted that the (Government's) petition should be denied."

The Supreme Court is officially scheduled to adjourn for the summer next Tuesday, but it still has close to 40 cases to decide, and most observers believe it will not get away before June 14 at the earliest.

Sees No Monopoly

(*Continued from page* 1)

said he was quite sure this covered any cooperative buying in Allied.

As for the Caravan, Myers declared it does not buy films or pool buying power but merely circulates price information on closed transactions. Such an information service, he said, had been cleared by the court in many decisions.

Justice Department officials have pointed out previously the court ruling that buying power can be pooled so long as no one is hurt, but have refused to say whether or not any of the Allied pools are suspect. Presumably that would be a matter for court decision in each individual case if an exhibitor felt he was damaged by an Allied pool.

Cautions Salesmen

(*Continued from page* 1)

"Raw Deal"; "Mickey," which will have a world premiere June 22 in Moline, and in Des Moines on June 23; "Tulsa," produced by Walter Wanger; "Northwest Stampede"; "Let's Live a Little"; "The Spiritualist" and J. Arthur Rank's "Oliver Twist." General trend of the meeting was that the quality of the company's new product will command higher rentals than ever before.

Addresses were also made by Max E. Youngstein, advertising-publicity vice-president; Jack Schlaifer, assistant general sales manager; Herman Biersdorf, Western sales manager; Edward Hieber, Midwest district manager, and Beverly Miller, district manager in Kansas City.

Review

"The Big Punch"

(*Warner Brothers*) *Hollywood, May* 24

THE box-office value of this first offering in the recently announced Warner series of moderately-budgeted features designed to showcase new talent lies in the presence of Gordon MacRae, who is going great guns vocally on the radio and who, therefore, it seems to be certain, his kilocycle public will pay to see on the screen. It is not required of a showman that he tell his customers MacRae does not sing in his first film appearance, but if any of them complain on that score the management can mollify them, and presumably sell them again later on, with the information that he will sing in his next Warner offering, "Silver Lining." Apart from this aspect of the attraction, there is not a great deal to be said save that it is a melodrama in which Wayne Morris turns in a modern portrayal of the fighting-parson character of early American Westerns.

Morris, who turns down a professional football offer to enter the ministry, inspires MacRae, a gamblers' boxing stooge, to win instead of lose a supposedly fixed fight. MacRae is promptly framed for a murder by his gangster boss, but flees to Morris, who gets him a job in a bank in the town where he occupies a pulpit. When MacRae's girl friend exposes his whereabouts to the gangster, the latter attempts vengeance but Morris beats him up and forces a confession of the killing. A romantic situation in the background is resolved satisfactorily. Saul Elkins produced and Sherry Sheards directed from a script by Bernard Girard. The cast also includes Lois Maxwell, Mary Stuart, Jimmy Ames and Marc Logan.

Running time, 80 minutes. General audience classification. Release date, not set.

WILLIAM R. WEAVER.

Uphold Suit Dismissal

ALBANY, N. Y., May 24.—Court of Appeals today upheld dismissal of a $16,500 action by J. Stephen Holt, New York attorney, against Phoenix Fidelity Insurance Co., over a fire at the Colonial Theatre two years ago. Holt and Jack Olshansky, Albany lawyer, after negotiating with Berinstein Enterprises for purchase of the house, were preparing to take physical possession when fire damaged the house. The insurance company contended it paid only the outstanding claim held by Berinstein. Holt brought suit on the other claim, but the highest court ruled against him. Olshansky remodeled the house, then operated it a for year. Freedman and Orson now operate it.

11 Southern Theatres

(*Continued from page* 1)

Thomas A. Bradbury, architect; Miami, theatre for Negroes, Wometco Theatres, Inc.; Edwin T. Reeder, architect.

Also, Lake Charles, La., drive-in; Southern Amusement Co.; F. Shutts Sons, architects; New Orleans, theatre for Negroes, Oscar J. Tolman, owner; to cost $60,000; Frayser, Tenn.; theatre, M. L. Phillips, Frayser, owner; W. I. Rosamond, architect; to cost $50,000; Nashville, drive-in, Crescent Amusement Co.; Marr and Holman, architects; Shelbyville, Tenn., work begun on new theatre to be called the Princess, a 1,000-seater.

Cohen Charges 3

(*Continued from page* 1)

tract with the plaintiff Anco for exhibition of films produced and distributed by the three on a run ahead of or simultaneously with New York RKO circuit theatres, including the RKO Palace on Broadway which was recently converted from first to second-run.

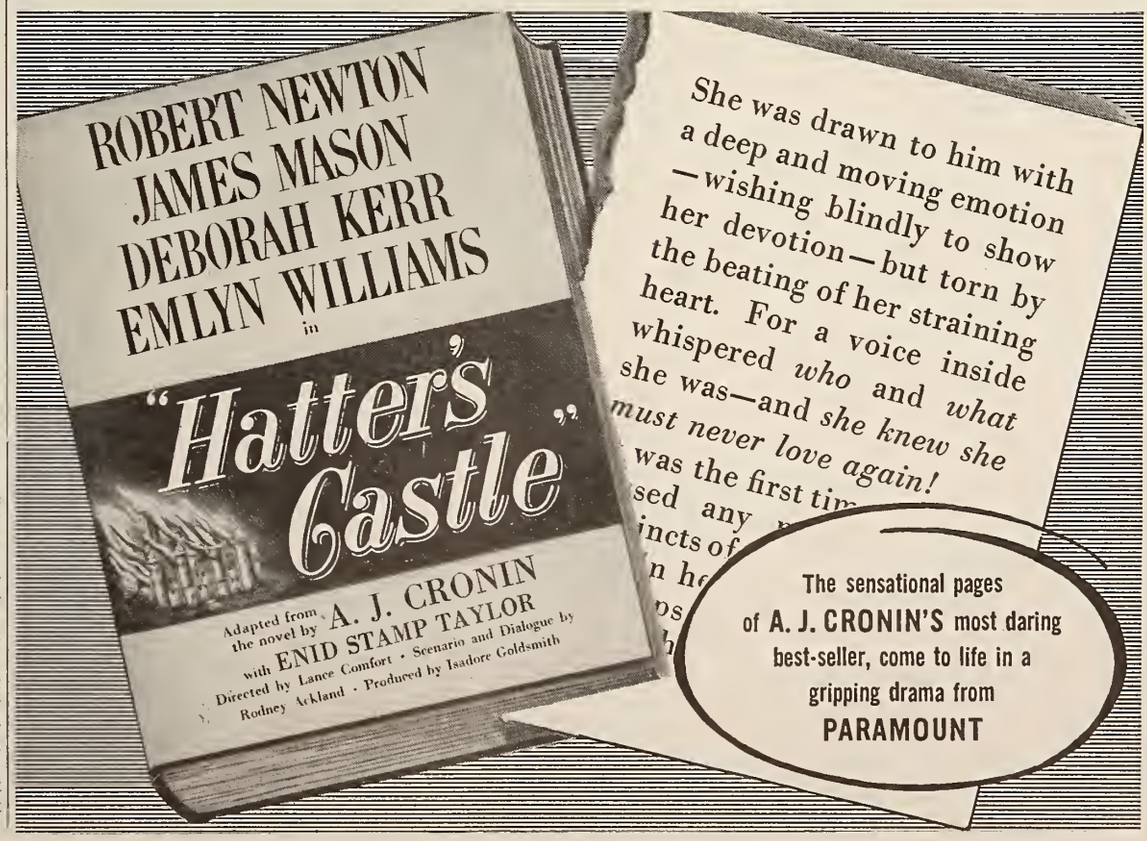
The court is asked to direct the defendants to "deal in good faith" with the plaintiff and to issue licenses for exhibition of their features at the New Amsterdam. The court is asked also to restrain the defendants from entering contracts, combinations or conspiracies whose object would be to deprive the plaintiff from the right to negotiate with defendants for run and clearance at the New Amsterdam. Plaintiff also wants any contracts allegedly entered by the defendants with the effect of postponing the playing time of any of defendants' films at the New Amsterdam declared illegal and void.

Court is asked also to issue a preliminary injunction restraining the defendants during pendency of the action from refusing to contract with Anco on a run ahead of RKO 23rd Street and RKO Palace.

Twentieth-Fox and Warners operate theatres in the U. S., but operate no circuit in New York City, the action states, charging that where 20th-Fox operates its circuit, RKO and Warners give no competition; where Warners operates its circuit, 20th-Fox and RKO do not operate, and where RKO operates, 20th-Fox and Warners do not.

Kingsberg in K.C.

KANSAS CITY, May 24.—Malcolm Kingsberg, president of RKO Theatres, and Sol Schwartz, general manager, arrived here today for an inspection of Main Street Theatre which may be reopened and operated by RKO.



ANNOUNCING

the

29th ANNUAL CONVENTION

of the

ALLIED THEATRE OWNERS of NEW JERSEY, Inc.

and

EASTERN REGIONAL CONFERENCE

with

EXPOSITION OF MOTION PICTURE THEATRE EQUIPMENT and ACCESSORIES

HOLLYWOOD HOTEL
WEST END, NEW JERSEY
JUNE 28-29-30, 1948

☆

New York Headquarters

ALLIED THEATRE OWNERS of NEW JERSEY, Inc.

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FIRST IN FILM NEWS

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MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS) 28 WEST 44TH ST., NEW YORK 18, N. Y.

1,000 Eligible For Vote on Colosseum

NLRB to Ask Added Time for Ballotting

National Labor Relations Board here has received from 11 distributors and National Screen Service names of 1,000 film salesmen entitled to receive ballots in connection with the forthcoming company-wide elections to determine whether the Colosseum of Motion Picture Salesmen of America shall be the salesmen's collective bargaining representative.

An NLRB spokesman speculated yesterday that the election will be in progress by mid-June, and that results will be tabulated by the end of next month. NLRB's election department, he said, plans to apply to the Washington office for an extension of the period within which the voting may take place. The board in Washington originally ordered the election to be held within 30 days from May 1.

'IA' and Sopeg Will Meet Here Tonight

The two opposing film labor unions which have been at loggerheads for the past week over representing United Artists home office "white collar" workers will hold separate strategy meetings here this evening.

AFL's IATSE Local H-63, which claims an "overwhelming majority" of the 140 UA workers involved, will meet at Malin Studios. Screen Office and Professional Employes Guild (CIO), which has been the employes' collective bargaining agent since 1942, but which the UA management has rejected as "Communist-dominated,"

(Continued on page 5)

British Footage In UK Is Up 2%

LONDON, May 25.—Aggregate footage shown in Britain during the year ended Sept. 30 last, was 46,412,000 feet, compared to 46,903,000 in the previous year, it is reported by the British Board of Trade.

Total British footage shown was 10,823,000 feet, or 23 per cent of the total, against 21 per cent in the previous year. British feature percentage rose from 18.58 to 20.87 per cent. The film quota prescribed 17.5 per cent during 1946-47, against 15 per cent in the previous year.

Report Schenck Has Closed Naify Deal

San Francisco, May 25.—Widely circulated reports which it has been impossible to confirm locally credit Joseph M. Schenck with having completed negotiations for the purchase of a half interest in United California Theatres from Mike Naify, but with actual closing of the deal being delayed until next month.

Negotiations for the half interest in the large Northern California circuit, in which Ted R. Gamble and Milton Reynolds also have figured, reportedly involve about $12,000,000.

End Election Clause In Taft Law: SAG

WASHINGTON, May 25. — The Screen Actors Guild today asked Congress to repeal a section of the Taft-Hartley law requiring the holding of elections before employers and unions can agree on a union shop contract.

Rep. Nixon read the SAG message at hearings of the Joint Congressional Committee on Labor-Management Relations, which is considering possible changes in the Taft-Hartley law. The message was signed by SAG president Ronald Reagan and executive secretary John Dales, Jr.

The Guild said that it has had union shop contracts with producers for more than 10 years, and that these contracts have the overwhelming approval of the employes involved. "We respectfully submit," said the Guild,

(Continued on page 5)

Hughes' RKO Plans Hailed by Depinet On Return to N. Y.

Ned E. Depinet, executive vice-president of RKO, returned to New York Monday after conferences with Howard Hughes, Floyd Odlum, N. Peter Rathvon and Dore Schary, held in Hollywood and at Indio, Calif.

"I am very favorably impressed by Mr. Hughes' ideas and intentions," said Depinet, who met him for the first time. "Mr. Hughes revealed high ambitions for our company and I am convinced he is the type of man who will not be content until RKO is the undisputed champion.

"In having Mr. Hughes as its principal shareholder, RKO gains not

(Continued on page 5)

Testimonial Dinner For Smith Tonight

Andy W. Smith, Jr., general sales manager for 20th Century-Fox, will be honored tonight at a testimonial dinner at the Waldorf Astoria Hotel on the occasion of his completing his first year as head of the company's domestic distribution department. Sales division managers of the company, who are launching the Andy Smith anniversary month celebration, which runs from May 30 to June 26, are sponsors of the affair.

With Smith on the dais will be company president Spyros P. Skouras, Frank C. Walker, William Powers, W. C. Michel, Otto Koegel, Murray Silverstone, Donald A. Henderson, W. J. Eadie, W. C. Gehring, Charles Schlaifer, division managers and others. Skouras will be toastmaster at the dinner.

"Easter Parade"

[*M-G-M*] — Astaire, Garland + Berlin Music = $$$$

ADVANCE claims that "Easter Parade" is a top-range musical are completely justified. The fact is it is one of the Metro's best and a certain hit for all categories of theatres in all kinds of situations. That is giving any attraction a great deal, but time and grosses will ride to an easy rescue.

There are 17 numbers from Irving Berlin's lilting pianoboard, 14 of them old or near-old and three new. While they vary in quality and appeal, in sum total the score is as engaging and as captivating as any this maestro of popular music ever has turned out.

Too, there is Judy Garland, better than she was in her immediately preceding release, "The Pirate," and apparently happier and more contented in mood and role than her recent pictures have revealed. Her romantic foil, who proves a reasonably hard guy to nab, what with his persistent infatuation for Ann Miller, is Fred Astaire. Back again after an unjustifiable absence, time seems to display a habit of standing still

(Continued on page 4)

WideRevisions In Clearance Scales Loom

Even 'Reasonable' Scales Will Be Readjusted

Wide-scale adjustments of clearance schedules in numerous situations are likely to be made in the near future upon completion of current studies by most distribution companies of existing clearances in the light of the recent Supreme Court decisions in industry anti-trust cases.

The Supreme Court held that the burden of proof of the reasonableness of clearances is upon the distributor. Accordingly, most companies in their current studies of existing schedules are employing this approach:

1. Is the clearance reasonable?

2. Can it be justified even if reasonable?

If the existing clearance is not regarded as reasonable, adjustments bringing it into line will be more or

(Continued on page 5)

Admission Tax Cut Is Definitely Off

WASHINGTON, May 25.—It's now final and definite—there will be no cut in the admission tax this session. House Ways and Means committee Chairman Knutson told reporters today that all plans for excise tax cuts had finally been abandoned as entailing too great a loss of revenue. He made this statement as his committee gave a final once-over to its tax re-

(Continued on page 4)

Action on Griffith Case Off Until Fall

Oklahoma City, May 25.—The Federal District Court clerk here says U. S. Judge Edgar S. Vaught probably will not get to the remanded Griffith Theatres case until next fall, because the docket is crowded until July and he will be out of his office on vacation in August.

"It will be after Sept. 1, I'm sure," the clerk said.

Personal Mention

DAVID LOEW, chairman of the Enterprise board, is in town from Hollywood.

•

PHIL REISMAN, RKO Radio foreign sales manager, and RUSSELL MUTH, European supervisor of Fox Movietone News, are among passengers who will sail for Europe tomorrow on the *SS America*.

•

HARRY M. WARNER, Warner president, and MORT BLUMENSTOCK, advertising vice-president, left Washington last night for New York.

•

MORRIS LOWENSTEIN, president of the Oklahoma Theatre owners, has been confined to his home in Oklahoma City by illness.

•

E. T. GOMERSALL, assistant to Universal-International distribution chief WILLIAM A. SCULLY, left here yesterday for Chicago.

•

ED HINCHY, head of the Warner home office playdate department, is due back in New York today from Cleveland.

•

FRANCIS W. MCMANUS, Mullin and Pinanski district manager in Boston, is ill with arthritis.

•

STANLEY KRAMER, producer, has arrived in New York from Hollywood.

Quimby's MGM Pact Extended 5 Years

Fred C. Quimby, Metro-Goldwyn-Mayer cartoon producer and head of short subject production, whose cartoon stars, Tom and Jerry, have won four Academy Awards, has been signed to a new five-year contract, the company announced here yesterday.

Quimby has been an M-G-M executive for 23 years, 12 at the studio in charge of shorts and 11 as general manager of short subjects in New York.

Canada Is Delaying Licenses for Video

TORONTO, May 25.—Applications for tele-casting licenses have been laid over until October by the Canadian Broadcasting Corp. of the Dominion government, to give further study before television is introduced in Canada.

Only three video channels will be available for Ontario, and the CBC will reserve one channel in each centre across Canada for its own use, it is intimated.

William Kurtz's Father

Funeral services for Joseph Kurtz, 77, father of William Kurtz, general manager of the Rialto Theatre here, were held yesterday at Midwood Memorial Chapel, Brooklyn. Kurtz died on Monday. Interment took place at Mt. Hebron Cemetery on Long Island.

Youth Month Film En Route to Field

Prints of "Report for Action," training film made by Theatre Owners of America as the first step in its campaign against juvenile delinquency, are now being sent by air and express to the 31 exchange centers.

Not designed for public exhibition, the two-reel subject will begin its showings on June 1 before welfare workers and civic groups in more than 1,500 communities across the country which will set up local conferences to put into action the programs suggested by the National Conference on the Prevention and Control of Juvenile Delinquency.

This latter group, composed of nearly 1,000 educators and welfare workers, was convened in Washington at the invitation of Attorney General Tom C. Clark and the Department of Justice to study causes and cures for delinquency.

State chairmen, appointed by Charles P. Skouras, national chairman of TOA's Youth Month Committee, will make "Report for Action" available to any group at the request of local mayors and other civic leaders. Exhibitors in every section will lend their screens for showings.

As a further example of motion picture industry coordination in its preparation, the film was produced by the "This Is America" branch of RKO Radio, prints were made by Pathe, and its exchange distribution is being handled by 20th Century-Fox.

Paramount Concludes Central Sales Parley

CHICAGO, May 25.—Paramount's three-day Central division sales meeting was concluded at the Knickerbocker Hotel here today. Salesmen Ernie Lund of Minneapolis, Paul Chapman of Dallas, and booking manager Tom Luce of Dallas, were honored by division manager James J. Dónahue and were made members of Paramount's 100% Club.

Vice-president Charles M. Reagan, special representative Ted O'Shea, advertising manager Stanley Shuford, exploitation manager Sid Mesibov, publicity manager Ben Washer, and exchange operations chief A. W. Schwalberg were among home office officials present.

Will Hear Brylawki On Building Code

WASHINGTON, May 25.—A. Julian Brylawski, head of the local Theatre Owners of America unit, will testify tomorrow before the District commissioners in favor of a compromise plan on theatre building regulations worked out by a citizens' committee he headed and District building officials.

The commissioners are expected to proclaim the regulations sometime next month, effective July 1. Last summer the building department suggested radical changes in building setups, but the Brylawski group conducted long negotiations with the District officials and won substantial victories.

Hersholt for Annual Foreign Films Award

HOLLYWOOD, May 25. — Energetic furtherance of plans for an International Film Congress to be held here as soon as world conditions permit and the establishment of an annual award for the best foreign language film were urged by president Jean Hersholt tonight in his report to the Academy of Motion Picture Arts and Sciences board of governors.

He also reported that the Academy's financial position has been stabilized by the rise in dues charged, increased charges for the "Players' Directory" and the renting of the Academy theatre for press screenings. Income was sufficient, Hersholt said, to operate the Academy building, pay bank loan installments and issue a five per cent dividend to stockholders.

Republic Stockholder Sues Yates, Company

Republic minority stockholder Simon L. Levin filed suit in U. S. District Court here yesterday against the company, president Herbert J. Yates and Onsrud, Inc., a holding company, charging sales and purchases of company stock in violation of Section 16-B of the Securities and Exchange Act of 1934. Levin asked an accounting of profits, allegedly $200,000.

Minsky Territory Expanded by E-L

Joseph Minsky, Eagle-Lion district manager for Philadelphia, Pittsburgh and Washington, will also assume supervision of the company's branches in Cincinnati and Cleveland, effective immediately, it was announced yesterday by William J. Heineman, distribution vice-president. Minsky will continue to make his headquarters in Philadelphia.

Ohio ITO Will Meet On Nov. 30-Dec. 1

COLUMBUS, O., May 25.—Annual convention of the Independent Theatre Owners of Ohio will be held Tuesday and Wednesday, November 30-December 1 at the Deshler Wallick Hotel here, secretary P. J. Wood announces.

Two More for Harvey

STOCKTON, CAL., May 25. — Rotus Harvey, president of Westland Theatres, announces that construction has been started on a new 850-seat house at Stockton with the opening set for November. Later, Harvey said, the circuit will construct another house.

Beale in Henry Post

WASHINGTON, May 25.—R. Horton Henry left his State Department film desk today for at least eight to 10 months of field duty. Wilson T. M. Beale will be the first of probably a series of officials who will fill in during Henry's absence.

Danz Gets Another House

SEATTLE, May 25.—John Danz, president of Sterling Theatres, will take over the Elwha Theatre in Port Angeles.

Newsreel Parade

REPUBLICAN candidates campaigning and Chaim Weizmann, president of Israel, are current newsreel highlights. Sports, a dog show and other human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 4[illegible].—Gov. Dewey in Oregon. President Tru[illegible] at Girard College. Father of the year. The Hague fire. Jet planes. The Scout-o-rama. Tulip time in Holland, Mich. Dog show. Night harness racing. Women's auto racing.

NEWS OF THE DAY, No. 276.—Israel's first president thanks U.S. for help. Navy's lightning jets in mass hop at sea. Boy scouts thrill New York in great jamboree. Fire sweeps Dutch palace. Father of the year. World's fastest human. Bluebloods of dogdom.

PARAMOUNT NEWS, No. 79.—Dogdom's high society. U.S. meets first president of Israel. *Queen Mary* brings celebrities. GOP hopefuls set for battle of delegates.

UNIVERSAL NEWS, No. 146.—Gov. Dewey tops Harold Stassen in Oregon primary. President Truman visits boys' school. Navy jets tested on carrier. New Russian envoy arrives. Father of 25 honored. Fire damages Dutch palace. New president of Israel. Track stars shine in Los Angeles. Dog show.

WARNER PATHE NEWS, No. 81.—People on shipboard. Boy Scouts hold rally. Israel's bombed Jews dig in: Royal palace burns. Some 2,700 dogs in outdoor show. New York boy's PAL bouts.

Subpoena Sales Heads In Fifth-Walnut Trial

Distributor sales chiefs and division managers have been subpoenaed by Fifth and Walnut Amusement Co. to testify at the current hearing in U. S District Court here of the circuit's $2,100,000 triple-damage anti-trust suit against distributors.

Principal witness thus far, now in its second week, has been Harold Janicky, co-owner of Fifth and Walnut, who claims that the distributors denied product to the circuit's National Theatre in Louisville. Janicky will return to the stand today.

Broadmoor Award Is Appealed by 20th-Fox

Twentieth Century-Fox has filed with the American Arbitration Association an appeal of the arbitrator's award in the Broadmoor Theatre (Shreveport, La.) case, the AAA office reported here yesterday.

The arbitrator's decision called for 30 days clearance in favor of the Broadmoor after the first-run in downtown Shreveport.

Holland Is Named CRI District Head

Tom Holland, branch manager of the Pittsburgh office of Confidential Reports, Inc., has been appointed West Coast district manager by Jack H. Levin, vice-president of the checking company. He replaces Barry Halbert who died last month.

Prior to the Pittsburgh managership, Holland was manager in Cleveland and in San Francisco.

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THROW AWAY THAT RABBIT FOOT!

You'll have all the luck you need with magic VITAMIN M-G-M!

TODAY's NO. 1 HIT!

The ads → in N.Y. sell tickets like hot-cakes!

First three dates sensational: First four weeks at Capitol, N. Y. set biggest M-G-M total in the entire annals of this theatre. Tremendous in Trenton! Fabulous in Philly! Watch this baby blaze its name nationwide.

Wherever you go today, they're talking about M-G-M's Pep-up Line-up of Spring and Summer releases that are invigorating the entire industry! Starting with Frank Capra's "State of the Union" and now "Homecoming" followed by phenomenal Press Previews of Irving Berlin's "Easter Parade"! Week after week at a time when you need them most—you get the best!

GABLE TURNER WOW!

The team that generates STEAM is THRILLING record-breaking crowds!

CLARK GABLE · LANA TURNER

ANNE BAXTER · JOHN HODIAK

M-G-M's

Homecoming

RAY COLLINS · GLADYS COOPER · CAMERON MITCHELL

A MERVYN LeROY PRODUCTION · Original Story by SIDNEY KINGSLEY · Adaptation by JAN LUSTIG

Screen Play by PAUL OSBORN · Directed by MERVYN LeROY

Produced by SIDNEY FRANKLIN

In Association with GOTTFRIED REINHARDT

AN M-G-M PICTURE

N. Y. 1st-Run Grosses Mild

Some grosses are running below average at Broadway first-runs with the exception of Radio City Music Hall where "The Pirate," with a stage presentation, is heading for a rousing $139,000 for its first week.

Several new pictures will bow in this week: "Melody Time," at the Astor; "Time of Your Life," Mayfair; "Noose Hangs High," Loew's State; "Up in Central Park," Criterion; "Citizen Saint," Bijou.

Business is expected to shape up as follows this week at various Broadway situations: "Another Part of the Forest," Rivoli, first week, $25,000; "River Lady," Winter Garden, first week, $16,000; "Silver River" (plus Eddie Duchin's band on stage), Strand, first week, $58,000; "Iron Curtain" (with an Ed Sullivan revue on stage), Roxy, second week, $85,000; "Homecoming" (Xavier Cugat's band on stage), Capitol, fourth week, $79,000.

Also, "Arch of Triumph," Globe, fifth week, $17,000; "The Sainted Sisters" (stage bill headed by Henny Youngman), Paramount. first week, $60,000; "Mr. Blandings Builds His Dream House," Astor, eighth and final week, $14,000; "The Big City," Criterion, second and final week, $15,000; "Gentleman's Agreement," Mayfair, 28th and final week, $6,000; "The Brothers," Sutton, third week, $6,900.

Also, "Berlin Express," Victoria, first week, $27,200; "Will It Happen Again," Rialto, second week, $12,000 (first week's gross was $22,000); "The Fuller Brush Man," Loew's State, second week, $19,000; "Show Time," Park Avenue, first week, $5,000.

KMGM On Air Tomorrow

HOLLYWOOD, May 25.—Louis B. Mayer and Los Angeles Mayor Fletcher Bowron head an all-star list of studio and radio talent which will inaugurate Station KMGM, new M-G-M frequency modulation outlet here, on Thursday.

FIVE-STAR
DC-6
FLAGSHIPS
LOS ANGELES
11 hours, 10 minutes
•
CHICAGO
3¼ hours
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or your travel agent
Ticket Offices: Airlines Terminal
Rockefeller Center • Hotel New Yorker
120 Broadway • Hotel St. George
AMERICAN AIRLINES

'Time' Benefit Show At Mayfair Tonight

"The Time of Your Life" will have a benefit premiere at the Mayfair here tonight, with proceeds going to the Wiltwyck School for Boys. Stars of the film headed by James Cagney will participate in the ceremonies. Among those to speak will be Mrs. Franklin D. Roosevelt.

The United Artists' release produced by William Cagney will begin its regular engagement at the Mayfair tomorrow morning.

'Green Grass' Makes Bow in Lancaster, O.

LANCASTER, O., May 25.—World premiere of 20th-Fox's "Green Grass of Wyoming" took place here tonight at the Palace and Broad theatres. The opening was preceded by a series of civic events and promotions climaxed by a two-mile parade that attracted thousands from neighboring communities. The parade was headed by Gov. Thomas J. Herbert.

Admission Tax Cut

(*Continued from page* 1)

vision bill, which it will report out tomorrow.

Several changes may benefit film companies and film officials. The committee would revise Section 102 of the Internal Revenue Code which puts a penalty tax on "unreasonable accumulation" of surplus profits. At present, the burden of proof that an accumulation is not unreasonable is on the taxpayer. The committee would shift this to the Commissioner of Internal Revenue, providing a company files a statement explaining its reasons for not paying larger dividends to stockholders.

Another provision of the committee bill will change the present system of a two-year carryback and two-year carry-over of net operating losses to a one-year carry-back and five-year carry-over. The bill also would give company executives more lenient treatment on stock options, increase dividend credit with respect to dividends of foreign corporations, permit larger foreign tax credits for domestic companies as regards taxes paid by foreign subsidiaries; ease tax treatment of personal holding companies; and change the tax treatment of various mergers and reorganizations.

Monogram-AA Sales Meet

BOSTON, May 25.—Local contingent of Monogram Pictures and Allied Artists will leave here for Chicago on Thursday for sales confabs Saturday and Sunday.

OF COURSE
your audience will love...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

"Easter Parade"

(*Continued from page* 1)

for this light-footed and graceful dancer who may have been as good in other attractions but assuredly never better.

Frances Goodrich and Albert Hackett, old hands at the business of writing for Hollywood films, collaborated on the original story, later joining hands with Sidney Sheldon on the script. It cannot be charged that they have contributed much which is new, but the nice point about their gossamer-like story is its pleasant and ingratiating mood and its avoidance of most of the cliches in which backstage musicals so uncomfortably writhe.

Actually and no doubt unavoidably, "Easter Parade" is a device making it possible and reasonably logical for those 17 song numbers to be sung by Judy, Astaire, Miss Miller or played by the orchestra. To do this Astaire is a two-a-day vaudeville headliner whose dance act is interrupted when his partner, Miss Miller, who dances beautifully, decides to accept a solo-starring offer in a Broadway musical. Astaire loves her, or thinks he does. On the rebound he picks Miss Garland out of a line of girls in a second-rate cafe, builds her to starring proportions after which they go on to musical comedy success and continued high romance. Peter Lawford is likeable as the stage-door Johnny who wanders in and out of the picture. There is nothing more, nothing less to "Easter Parade" than this insofar as story is concerned.

But the story is only the peg for songs, dances, sketches in Technicolor showing off what 1912 looked like. The peg, never important, becomes less and less so as the entertaining routines follow one another. Highlights are a matter of taste, but one undoubtedly is "Couple of Swells" and another the clever headwaiter routine by Jules Munshin, newcomer from Broadway.

The bow-from-the-waist division must include Arthur Freed as producer, Charles Walters as director, Johnny Green for musical direction and Robert Alton for staging and directing the musical numbers.

Running time, 103 minutes. General audience classification. Release date, July 8, 1948.

RED KANN

"Up in Central Park"

(*Universal-International*)

DEANNA Durbin and Dick Haymes singing and prancing together in a screen adaptation of the stage hit, "Up in Central Park," make a convincing selling point for any showman. The story, while a pleasant enough fable, is less impressive. Between its impromptu songs and dances, it tells the story of an immigrant girl and father who arrive here from Ireland and get caught up in the web of Boss Tweed's political corruption.

Central Park offers a picturesque background for the serio-comic doings, mostly in formula vein. The Karl Tunberg screenplay has Vincent Price as the suavely villainous Tweed while Haymes is the enterprising reporter out to expose him. As it develops, Miss Durbin and her father, Albert Sharpe, get taken in by Tweed and come to think of him as a grand fellow. Thus clashing views between Miss Durbin and Haymes give rise to the romantic conflict. A comic ending irons out the differences with Tweed dethroned as a result of some good reporting.

For the most part the camera lingers fondly on Miss Durbin who cavorts in billowing gowns. Among the tunes are "When She Walks in the Room," "Oh! Say Can You See," "Carousel in the Park," with lyrics by Dorothy Fields and music by Sigmund Romberg. Miss Durbin also sings Verdi's "Pace, Pace Mio Dio." Tunberg also was in charge of production. William Seiter directed.

Running time, 87 minutes. General audience classification. For June release.

MANDEL HERBSTMAN

"Escape"

(*20th-Fox*)

BASED loosely on the John Galsworthy play of the same name, "Escape," made in England, is another picture chronicling an escaped prisoner's flight. In this instance the pursuit follows a routine pattern that engenders modest suspense and excitement for adults.

While the film succeeds in creating sympathy for the pursued, an unfortunate victim of circumstances, the average person is not likely to be moved more than casually by the fugitive's plight.

As its star the film offers Rex Harrison, a potent lure for women's interest. His co-star is Peggy Cummins, a worthy come-on for the masculine element. The producer is William Perlberg, who turned out the film frugally but attractively. As its director the film boasts Joseph L. Mankiewicz, who seemingly has tried hard with the material at his command. The screenplay is by Philip Dunne. Also a decided asset are the backgrounds, which are genuine and contribute pictorial merit to the film. They give the story atmosphere and color. A sop for the women is a flimsy romance between the stars that ends with Harrison's recapture and return to prison.

Running time, 78 minutes. General audience classification. Set for July release.

P. E. L.

FOR SALE

2—35mm Bell & Howell motion picture rackover camera outfits, complete with magazines, carrying cases, lenses and Akely Gyro Tripods. Also lighting equipment. Call CIrcle 6-0951.

FOR LEASE

5 Units of 3000 square feet each in the West Fifties betwen 5th and 6th Avenues, adjoining Rockefeller Center. Available late spring 1949. Will negotiate long term leases now. Reply

BOX 417, M. P. DAILY
1270 6th Ave., N. Y. 20

Hughes' Plans

(*Continued from page* 1)

only an astute and courageous young business man, but a showman who has had a continuous interest in motion pictures for 25 years and, as an independent producer, has made a number of top box-office pictures of the past two decades. In view of our steady growth and even brighter prospects," Depinet said, "I'm sure Mr. Hughes has invested his money in the right company."

Depinet said he felt the whole industry was now over its bad case of jitters, off the detour and "again on the high road of showmanship where it belongs, with banners flying and bands playing."

RKO pictures completed and for release in 1948, Depinet announced, include Walt Disney's "Melody Time," Leo McCarey's "Good Sam," Rosalind Russell in "The Velvet Touch," Samuel Goldwyn's "A Song Is Born," Loretta Young and Bob Mitchum in "Rachel and the Stranger," and the John Ford-Merian C. Cooper picture, "Fort Apache."

"The motion picture event of the century," is the way Depinet described the forthcoming premiere of Walter Wanger's "Joan of Arc," which stars Ingrid Bergman. "It is truly the greatest story ever told," he said.

"The Boy With Green Hair," a Dore Schary special, Merian Cooper's "Mr. Joseph Young of Africa," Cary Grant in "Every Girl Should Be Married," "Weep No More," starring Joseph Cotten and Valli, and "Baltimore Escapade," with Robert Young, Shirley Temple and John Agar, are other forthcoming attractions.

'IA' and Sopeg

(*Continued from page* 1)

will hold a joint membership meeting with the Screen Publicists Guild at the Hotel Diplomat.

The National Labor Relations Board, meanwhile, is expected to set a date soon for the shop election sought by H-63. SOPEG will not appear on the ballots, however, since that union has not filed with the NLRB the non-Communist affidavits required under the National Labor Relations law of 1947.

H-63 spokesmen said yesterday that they will present to UA employes this evening complete statistics to substantiate "IA" claims that its wage scales among home office employes exceed SOPEG's in every category and that its scales are higher generally by 10 per cent.

Bar Noise Ballyhoos

COLUMBUS, O., May 25. — Anti-noise ordinance, which has gone into effect here, bans sound trucks and stationary amplifiers used in "attracting the attention or inviting the patronage of any person."

Permit Sunday Shows

MORRISTOWN, Tenn., May 25. — Spurred by the action of a drive-in theatre just outside the city limits in holding Sunday showings, the city council here has voted to permit the two local theatres to open on Sunday.

To End Sunday Delivery

OMAHA, May 25. — Sunday deliveries by film transport companies in Nebraska will be discontinued beginning June 20. Also, all film exchanges will close on Sundays.

Labor Testimony Available Free

WASHINGTON, May 25.—Anyone interested in reading the complete record to date of the House Labor sub-committee investigating the Hollywood studio jurisdictional disputes can now get it free of charge—all 2,445 pages. The committee now has the hearings printed in three fat volumes—one for the August, 1947, hearings in Los Angeles, and two for the hearings here in February and March.

SAG Asks Congress

(*Continued from page* 1)

"that where, as in the motion picture industry, union shop conditions have prevailed for an extensive period of time, no useful purpose is served by requiring the holding of elections to establish what is already too clear for any possible doubt."

Asked if he knew how producers stood on this question, Rep. Nixon said he had no official message, but understood from "informal conversations" that employer groups "recognize the technical problem involved in the provision and I believe would welcome a chance to get away from these difficulties."

Protest Sign Removals

CHICAGO, May 25.—A city proposal to outlaw overhanging advertising signs on State Street between Wacker Drive and Congress Street, is being protested by Balaban and Katz and the Tele-News Theatre, which claim it will hurt their business if the proposal becomes law.

Wide Revisions

(*Continued from page* 1)

less automatic, sales executives indicate.

Even though existing clearances may be regarded as reasonable, further changes are likely to be made where it appears that difficulty might be encountered in justifying such clearances if the company were called upon to do so in court.

Several sales executives said it is their intention to lean over backwards in adjusting dubious clearance schedules, and the rule rather than the exception will be to go even further than reasonableness or the courts might require, in order to avoid what otherwise may be numerous and time-consuming trips to court to justify the schedules in effect.

Most distributors also are reviewing company practice in the matter of runs, largely to make sure that policy established under the New York court decree is not being ignored or evaded in the field. Refusals to license for some-run now require unassailable reasons, sure to hold up if challenged in court. Likewise, if exhibitors request the right to bid for specific runs they will automatically be given the opportunity to do so, by competitive bidding in some cases or by variations of it in those instances where circumstances permit or where companies regard the Supreme Court's disapproval of competitive bidding to be sufficiently emphatic to make continuance of the practice inadvisable.

Favor Sunday Films

GALLATIN, TENN., May 25.— A local election on Sunday shows resulted favorably. Daylight saving was voted in the same election.

James J. Mage, Rialto Theatre Owner, says: "BUSINESS TERRIFIC—OVER $13,000 for WEEK-END!"

Louella Parsons says: "The GREATEST THING OF ITS KIND I'VE EVER SEEN!"

A RECORD-BREAKER—*ON BOTH COASTS*—EAST AND WEST!

Available Now
FROM
FILM CLASSICS, INC.

The NAVY CLUB of U. S. A. presents
WILL IT HAPPEN AGAIN?
(The LOVE-LIFE of ADOLPH HITLER)
Released by FILM CLASSICS, INC.

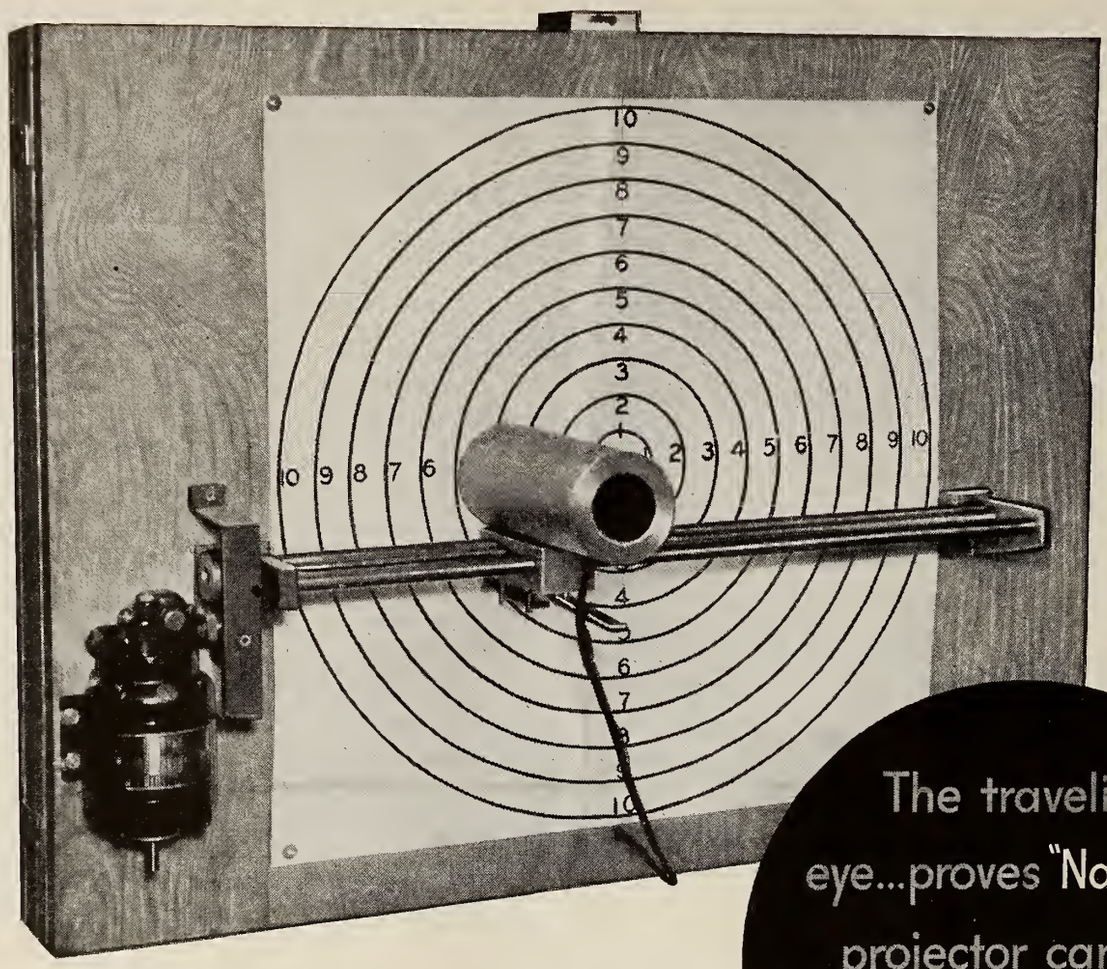
HELD OVER NEW YORK
RIALTO
RECORD SMASHING BUSINESS

HELD OVER FOUR MUSIC HALLS IN LOS ANGELES
TOP BUSINESS

DON'T TAKE OUR WORD FOR IT!
WIRE or PHONE THESE TOP SHOWMEN FOR CONFIRMATION!

Cast
ADOLPH HITLER
EVA BRAUN
HERMANN GOERING
PAUL JOSEPH GOEBBELS
JULIUS STREICHER
HEINRICH HIMMLER
BENITO MUSSOLINI
and a supporting cast of famous and other infamous personages

SEE HITLER'S GUARDED LOVE NEST!
SEE HITLER AND HIS MISTRESS AT PLAY!
SEE HITLER'S PERSONAL SECRET FILMS!
SEE The WOMAN BEHIND THE MAD TYRANT!



The traveling eye...proves "National" projector carbons REALLY ARE BRIGHTER

How bright?

That is the $64 question in movie projection, because crater brightness is the key to screen brightness, audience approval, and big box office.

National Carbon Company answers the question with the "traveling eye," shown above. With scientific accuracy, this photoelectric cell in the metal tube, traveling across the actual crater image, measures the brightness of the "National" High Intensity arc. Results show that the brightness of "National" carbon arcs rivals that of the sun itself!

This means that by using "National" High Intensity projector carbons you obtain the brightest light available for movie projection. At the same time, you obtain light with a nearly perfect color balance. Your color movies glow with rich vividness! Your black-and-white pictures sparkle! Good business!

WHEN YOU ORDER PROJECTOR CARBONS—ORDER "NATIONAL"!

The term "National" is a registered trade-mark of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation
30 East 42nd Street, New York 17, N.Y.

UCC

Division Sales Offices: Atlanta, Chicago, Dallas, Kansas City, New York, Pittsburgh, San Francisco

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 103 NEW YORK, U.S.A., THURSDAY, MAY 27, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Unremittable Earnings Plan 'Inadequate'

MPAA Submits Detailed Amendments to Britain

LONDON, May 26.—Text of the permitted uses of unremittable American film earnings, which was "prematurely published in New York" in connection with the Anglo-American *ad valorem* tax settlement, is admitted in both industry and government quarters here to be inadequate or unsatisfactory in several material particulars.

The changes which will be made will result from the new series of talks initiated last week between Motion Picture Association of America advisers and officials of the British Treasury and Board of Trade. MPAA's Fayette W. Allport and John G. McCarthy, who brought back to England from the U. S. a mass of detailed amendments to the agree-

(*Continued on page* 4)

See Big Demand for U. K. Circuit Issue

LONDON, May 26.—First full-scale public stock issue to be offered by a theatrical company since the financial disruption which hit the industry with the embargo on the screening of American films will be the $2,400,000 of five per cent preference shares of the Shipman and King circuit, which goes on the market Monday.

It is expected the amount offered will be over-subscribed within a few moments of its being marketed.

The prospectus shows average annual profits of the 29-theatre circuit in excess of $450,000 for the past

(*Continued on page* 4)

German Producers Study Code Draft

By H. ZU LOEWENSTEIN

BERLIN, May 22 (By Airmail).—German film producers and other interested parties are studying the draft of a proposed production code similar to that governing the American industry.

The 15-page draft of the "Voluntary Code for the German Film Industry" explains that underlying the code would be the premise that no film

(*Continued on page* 4)

G. S. Eyssell Named Executive Mgr. of Rockefeller Center

G. S. Eyssell, president and managing director of Radio City Music Hall Corporation and the Center Theatre, yesterday was appointed executive manager of Rockefeller Center, Inc., it was announced by Nelson A. Rockefeller at a meeting of the Rockefeller Center board of directors.

G. S. Eyssell

The 46-year-old film executive, widely known in the motion picture industry, will assume his new duties as operating head of the famous midtown development immediately, while continuing in his present capacities at both the 6,200-seat Music Hall, world's largest theatre, and the Center Theatre, where ice spectacles have been presented for the past few years.

Eyssell will replace Hugh S. Robertson, who is retiring. Nelson Rockefeller, who was president of

(*Continued on page* 5)

$353,548 Monogram Loss in 39 Weeks

HOLLYWOOD, May 26.—Monogram and subsidiaries, headed by Steve Broidy, has a net loss of $353,548, after all charges and taxes, for the 39 weeks ended March 27, compared with a net profit of $260,991 for the same period one year ago. Loss before provision for Federal taxes was $296,646, compared with a profit of $414,042 for the same period in the previous year.

It was pointed out that operating

(*Continued on page* 4)

Trade Act Extension Is Passed by House

WASHINGTON, May 26.—The House today passed and sent to the Senate a one-year extension of the Reciprocal Trade Agreements Act, with substantial limitations on the power of the President to negotiate new agreements. The House earlier had rejected a move to extend the act for three years, with the Administration retaining a free hand. Film industry leaders have supported the three-year extension.

Hersholt Reelected Academy President

Hollywood, May 26.—Jean Hersholt was reelected president of the Academy of Motion Picture Arts and Sciences at a meeting here last night which resulted in the election of Charles Brackett and Jack Warner as vice-presidents; Robert Montgomery, secretary; Thomas Moulton, assistant secretary; N. Peter Rathvon, treasurer, and Charles Clark, assistant treasurer.

The board voted to establish an annual award for the best foreign picture and voted Rathvon chairman of a committee to plan an international film festival in Hollywood.

Predict Six-Month Record for 20th

That 20th-Fox's revenue and bookings for the first half of 1948 will establish a new all-time record for the company was divulged last night at the testimonial dinner given for Andy W. Smith, Jr., at the Waldorf-Astoria Hotel here to mark his first year as the distribution chief.

The disclosure was made in reports to president Spyros P. Skouras by 20th-Fox division sales managers who are sponsoring the "Andy Smith Anniversary Month" sales drive, running from May 30 to June 26. Reporting were Herman Wobber, Harry G. Ballance, Raymond Moon, Jack Lorentz, Arthur Silverstone and Howard Minsky.

In addition to reporting a new six-

(*Continued on page* 2)

700 Vote on Union Shop at WB Today

More than 700 Warner home office "white collar" employes will ballot today to determine whether the present union shop shall prevail. The workers have been represented for several years for collective bargaining purposes by IATSE Home Office Employes Local No. H-63, but since a new contract is about to be negotiated an election is necessary under the provisions of the Taft-Hartley Law.

A similar election will be held shortly among Universal home office employes who also are represented by H-63. The date will be set at a forthcoming meeting between H-63 business agent Russell Moss and "U" executives.

Supreme Court Mandates Seen Meeting Delay

Due Tomorrow, They May Not Be Issued for Days

WASHINGTON, May 26.—Indications are that the Supreme Court's mandates in the Paramount, Schine and Griffith cases, which are due on Friday, will not be forthcoming until some time next week.

Ordinarily routine procedural delays prevent Supreme Court mandates from being issued the same day they are due, except in cases involving urgency, the circumstances of which have been communicated to the high court in advance of the date the mandate is due.

No representations of urgency in any of the industry cases have been conveyed to the court thus far. Moreover, some delay in issuance of the mandate in the Schine case may result from the Government's pending request, and Schines' opposition to it, for clarification of a trustee's appoint-

(*Continued on page* 5)

Loop Rialto Switch May Aid Majors

CHICAGO, May 26.—The downtown Rialto Theatre's recent switch to a moveover policy may prove a lucrative outlet for Jackson Park defendant distributors, whose grosses on films playing defendant Loop theatres has been proportionately less under the two-week limit imposed by the Jackson Park decree.

Since the Rialto is a non-defendant theatre, distributors are protected in playing moveover product in that house because they are not compelled under the decree to release films to

(*Continued on page* 5)

Financing Dilemma Develops in Italy

By ARGEO SANTUCCI

ROME, May 22 (By Airmail).—The difficulty of obtaining proper financing for film production has developed into one of the most serious problems facing the Italian industry.

The dilemma is due to two factors. One is the restrictions placed by the Bank of Italy on credits to all manufacturing industries in order to retard

(*Continued on page* 4)

Personal Mention

SPYROS P. SKOURAS, 20th Century-Fox president, and LEM JONES, his executive assistant, flew to the Coast last night from New York.

•

JOSEPH MCCONVILLE, Columbia International president, and MRS. MCCONVILLE, and CLAUDE RAINS and MRS. RAINS, are among passengers due here today from Europe on the *SS Queen Elizabeth*.

•

ERIC JOHNSTON, Motion Picture Association of America president, will leave Washington today for Portland, Ore., where he will address the General Federation of Women's Clubs tomorrow.

•

PHIL REISMAN, RKO Radio foreign distribution head, will arrive in New York today from Europe. It was erroneously reported here yesterday that he was sailing for Europe.

•

RUDOLPH WEISS, head of the Warner home office real estate department, and MILES ALBEN, Warner Theatre executive, are due in Washington today from New York.

•

P. J. WOOD, secretary of Independent Theatre Owners of Ohio, has been elected treasurer of Variety Tent No. 2, Columbus, succeeding the late JACOB L. LUFT.

•

HARRY F. SHAW, division manager of LOEW'S Poli-New England theatres, and MRS. SHAW have returned to New Haven from a Central and South American vacation.

•

STANLEY MEYER, general manager of United Artists Theatre Circuit, has returned to Los Angeles from New York.

•

B. G. KRANZE, Film Classics general sales manager, will leave here today for a tour of West and Midwest exchanges.

•

CHARLES C. MOSKOWITZ, Loew vice-president and treasurer, has returned to New York from a Miami vacation.

•

LOUELLA PARSONS is due here today from the Coast. She will sail for England Wednesday on the *SS America*.

•

ARTHUR JEFFREY, Eagle-Lion exploitation manager left here yesterday for Des Moines and Moline.

•

HARRY ROWSON, veteran of the British motion picture industry, has arrived in New York from London.

•

JOHN ALTON, Eagle-Lion cameraman, is in town from the Coast.

20th-Fox Press Junket

Twentieth Century-Fox will be host to the press this evening on a trip to Roosevelt Raceway, in connection with the company's "Green Grass of Wyoming."

Testifies National Theatre Profitless

Fifth and Walnut Amusement's National Theatre in Louisville was profitless during the three years after it was purchased in 1943 by Albert J. Hoffman for $80,000. This was brought out yesterday in testimony presented by Hoffman at the trial of Fifth and Walnut's anti-trust suit against distributors. Plaintiff is seeking $2,100,000 triple-damages.

Hoffman, who paid a $20,000 down payment for the house, said he subsequently leased it to Fifth and Walnut for a rental of $25,000 a year plus a percentage of profits. He added that no profits were made, however.

Harold Janecky, co-owner of Fifth and Walnut, was the sole witness in a week of hearings prior to the questioning of Hoffman. Under examination by plaintiff's attorney Monroe E. Stein, Janecky submitted earnings figures intended to substantiate the charge that defendants' alleged refusal to supply first-run product was unjust.

Stockholder's Suit Disclaimed by Yates

In a statement released by Republic here yesterday, Herbert J. Yates, president, declared that, "I have never owned any stock in Onsrud, Inc., I have never been an officer or director of Onsrud, Inc., and at no time have I had any voice in its management."

The statement followed the suit filed on Tuesday by Republic minority stockholder Simon L. Levin in U. S. District Court here against Yates and Onsrud, a holding company, charging sales and purchase of Republic company stock in violation of the Securities and Exchange Act. Yates said that all of his transactions in Republic stock "were fully disclosed to the SEC and no rules or regulations of the SEC were violated."

Ackerman Succeeds Martin in CBS Post

Ernest H. Martin has resigned as director of network programs in Hollywood, for Columbia Broadcasting, effective June 15, when he will be succeeded by Harry S. Ackerman, CBS executive producer in New York.

Martin is leaving his post to concentrate on the production of a Broadway stage show scheduled to open this fall. It is to be a musical version of "Charley's Aunt," starring Ray Bolger and written and directed by George Abbott.

Map New Plan to Guard Information

WASHINGTON, May 26.—A group of Army, Navy and Air Force information officers are working out a new program for safe-guarding vital military and defense information, Secretary of Defense Forrestal told his Press Advisory Council today.

The Council had a luncheon session with Forrestal and top military officials, attended by Motion Picture Association press chief Kenneth Clark.

20th Record

(*Continued from page 1*)

month record, the division chiefs told Skouras, who was toastmaster, that the domestic sales organization will produce in the first five months of this year more revenue than was earned during the first six months of 1947. They further reported that in June of this year more theatres in the U. S. and Canada will show 20th-Fox product than in any other month in the company's history. Latest figures showed that more than 15,500 theatres are booked to play two or more 20th-Fox pictures during the anniversary period.

Success of the new policies introduced by Smith in his first year as general sales manager was lauded in a wire from Darryl F. Zanuck, production head, who said that remaining 1948 releases have been completed except for one which will go into production this week. Congratulations also were wired by Joseph M. Schenck.

Skouras paid a tribute to Smith's policies. Other tributes came from former Postmaster-General Frank Walker, W. C. Michel, Murray Silverstone, Otto Koegel, Judge William Powers, W. C. Gehring, Charles Schlaifer and Lowell Thomas.

Smith responded by saying that results were made possible only by the team work of the company's sales force.

RKO Gets Memphis 'Cooperative' Award

MEMPHIS, May 26.—RKO Radio won the Memphis Better Film Council's award as "the most cooperative producing company" and Augustine Cianciola, owner of the Rosemary Theatre here, as the most cooperative theatre owner.

Other awards, presented at the organization's "Oscar party" at the home of its president, Mrs. Carrington Jones, went to Edwin Howard, dramatic editor of the *Press-Scimitar;* Harry Martin, dramatic editor of the *Commercial Appeal*, and to the Central High School Photoplay Club for cooperation with the council's special children's matinee work.

'Frisco E - L Sales Meet This Weekend

HOLLYWOOD, May 26.—Eagle-Lion distribution vice-president William J. Heineman and advertising-publicity head Max E. Youngstein, accompanied by L. Jack Schlaifer, assistant to Heineman, will leave here tomorrow for San Francisco to wind up a series of regional sales meetings over the weekend at the St. Francis Hotel. Herman Beiersdorf, Western sales manager, will also address the session.

To Film at Oak Ridge

Permission to photograph portions of Oak Ridge as background for "These Were My Orders," story by former Army Counter Intelligence Corps agent Norbert Gagen, has been granted to Eagle-Lion. Bryan Foy, E-L producer, accompanied by actors and technicians, will leave the Coast June 15 to start filming the story about CIC methods.

To Send SDG Pacts To All Majors Here

Within the next two weeks, all major film companies in the East will receive copies of a new contract proposed by the Screen Directors Guild as a prelude to the opening of negotiations, Gene Martel, Eastern SDG president, revealed here yesterday. The majors may negotiate with the SDG either on an industry-wide [illegible] or individually, it was pointed o[illegible]

In the meantime, SDG, which is seeking to standardize wages, hours and working conditions in the East, will hold its second meeting here next week with representatives of independent producers of industrial, documentary and educational films. According to Martel, a dozen independent producers have already signed contracts without negotiating.

In regard to television, Martel said that in order to cooperate and encourage production, SDG is allowing a 20 per cent cut in its wage schedule.

Writer, SWG Named In Nebenzal Suit

LOS ANGELES, May 26. — Screen Writers Guild and writer Edwin J. Mayer were named defendants in a Superior Court suit filed today by Seymour Nebenzal's Stellar Pictures, Inc., for return of $5,000 paid to the writer under a contract which the complainant claims Mayer violated and for an injunction against SWG for a letter assertedly circulated among its membership declaring Stellar Pictures unfair. The suit may be precedent-setting.

The SWG letter, the complaint maintains, operated to deprive the company of talent. Mayer was hired last November to revise the script of "Queen of Hearts" for $10,000, Stellar alleges, paying him $5,000, with the balance due upon delivery of the script, and also giving him a percentage of the picture's profits if the job were completed on time.

On Jan. 5, the complaint continues, Mayer reported he would be unable to complete the script in time, but finally turned in a longer script than was sought. He subsequently demanded $2,500 per week while reducing the script's length, Stellar asserts.

TOA Reel Luncheon

Charles Skouras and Ted Gamble, presidents of National Theatres and Theatre Owners of America, respectively, will be hosts to the trade press here today at a luncheon at the St. Moritz Hotel following a screening of "Report for Action." The two-reel subject was made by the TOA at RKO studio at the request of the Department of Justice and Attorney General Tom Clark to combat juvenile delinquency.

Griffis Sees Truman

WASHINGTON, May 26.—Stanton Griffis, Ambassador to Poland and chairman of Paramount's executive commitee, had a brief visit this noon with President Truman. Griffis left for New York this afternoon.

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From
the Atlantic
to
the Pacific
no musical
ever
so
terrific !!!

Warner Bros.'

ROMANCE ON THE HIGH SEAS

Entertainment that's fresh as a sea breeze--in color by **TECHNICOLOR!**

JACK ARSON ☆ JANIS PAIGE ☆ DON DeFORE *and* DORIS DAY *in* "ROMANCE ON THE HIGH SEAS"

with OSCAR LEVANT · S. Z. SAKALL · FORTUNIO BONANOVA
DIRECTED BY MICHAEL CURTIZ PRODUCED BY ALEX GOTTLIEB
A MICHAEL CURTIZ PRODUCTION
Screen Play by Julius J. & Philip G. Epstein • Additional Dialogue by I. A. L. Diamond

WB

Jacques Feyder, 54, French Film Maker

The death of the French motion picture producer-director, Jacques Feyder, at Rives de Prangins in the Canton of Vaud, Switzerland, was reported by the French Agency in Paris, according to press dispatches arriving here.

Born in Belgium, Feyder, 54 years old, was naturalized here in 1928 and produced a large number of French films. He also on several occasions went to Hollywood, where he directed "Son of the Rajah," with Ramon Navarro, and made the French and German versions of "Anna Christie," with Greta Garbo; "Father's Day" and "Olympia," and the French film, "Children in Flanders," among others.

Dilemma in Italy

(*Continued from page* 1)

the devaluation of the lira. The other is the fact that the special funds of the section for motion picture credit of the Banca Nazionale del Lavoro—funds which were assigned by the government—are not proportionate to the cost of production.

The current total of the special funds is only 300,000,000 lire (about $550,000). The average cost of a feature is now about 80,000,000 lire ($150,000).

Giulio Andreotti, the state secretary, who has jurisdiction over films, has promised that these funds will be increased by the new government. Banca Nazionale officials hope that the total government grant will be 1,000,000,000 lire (about $2,000,000).

German Code

(*Continued from page* 1)

should be produced which would tend to lower the moral level of the patron, or which might induce a disregard for the laws of natural and human rights, or arouse sympathy for violation of these laws.

Written to conform with European standards, the proposed code holds that the natural rights are those which are written into the "heart of humanity as prescribed by justice and conscience," while human right is defined as the right guaranteed in law books.

Review

"The Vicious Circle"

(*United Artists*)

As a courtroom drama, "The Vicious Circle" has some moments of flaring excitement, with a theme on racial intolerance, and treatment that is outspoken. For its story, the film goes to the Hungarian court records of 1882 and recounts a tale which actually took place. Unfortunately, the film was shot almost entirely in court, and the result is an uneven affair with more documentation than characterization. The picture's subject matter will give it strong appeal among specialized audiences, but it is lacking in persuasive marquee names.

The well-remembered Conrad Nagel marks his return to the screen as a defense attorney and he again proves himself an accomplished actor. The screenplay, by Guy Endore and Heinz Herald, concerns five Jewish farmers who were framed for murder by a landed aristocrat who does not like "certain people" and besides, he would like to expand his acreage. There follows the arduous task by the defense of exposing the fake evidence and overcoming corrupt officials. This is done with a constant ebb and flow of dramatic excitement, until finally the "murder" is revealed as a suicide, and the fraud exposed. Fritz Kortner as one of the defendants, Reinhold Schunzel as the land baron and Lyle Talbot as the prosecutor round out the cast. Taken from the play, "The Burning Bush," by Heinz Herald and Geza Herczeg, W. Lee Wilder produced and directed.

Running time, 77 minutes. Adult audience classification. Release date, July 30.

MANDEL HERBSTMAN

British Earnings

(*Continued from page* 1)

ment, are confident that the talks will conclude before June 14, the date on which the tax agreement becomes effective. In the final analysis; however, conclusion of the talks on that date will depend on the rate of progress made in the examination of the admittedly intricate implications of the schedule of uses for unremitted earnings, it is said.

Allport said that the MPAA has no objection to the publication of the agreement now with the schedule in its present form. BOT officials, however, have indicated they will withhold publication until the schedule has been clarified.

U. K. Circuit Issue

(*Continued from page* 1)

10 years. The company carries no mortgages, debentures or other charges and the net assets of more than $6,500,000 cover the preference shares now outstanding more than 2¾ times.

Fitzgibbons Flays Ontario for Tax

TORONTO, May 26.—President J. J. Fitzgibbons of Famous Players, described the action of the provincial government as that of a pickpocket in immediately imposing a 20 per cent amusement tax following abolishment of the 20 per cent war levy on grosses by the Dominion government.

MGM Ends Novel Award

Metro-Goldwyn-Mayer has discontinued its novel award contest, instituted in 1944. It was an annual event until 1947, when it was made semi-annual. The winning author was guaranteed $150,000, with a possible maximum of $250,000, described by M-G-M as "the most lucrative award in literary history."

Century To Build

Century Theatres plans to erect a theatre in Rockville Centre, Long Island. Tentatively named the Deane, it will have a parking area for patrons and a package checking service.

Monogram Loss

(*Continued from page* 1)

losses for the current fiscal year are expected to allow the company a refund of Federal income taxes paid in prior years, due to loss carry-back provisions of income tax laws. Although no credit has been shown in the company's operating statement for the tax refund, the amount of credit, based on the operating loss, at March 27, 1948, has been estimated at approximately $290,000, which would reduce the consolidated net loss March 27 from $353,548 to $63,546.

Gross income, after eliminating inter-company transactions, for the first 39 weeks ended March 27, amounted to $6,590,540, compared with $5,743,340 for the same period of the previous year.

First Hollywood Premiere Telecast

HOLLYWOOD, May 26.—Paramount tonight staged the world premiere of "The Emperor Waltz" at the Paramount Theatre, attended by stars, industry leaders, society, civic and business figures. The event was telecast by station KTLA for an hour and was aired by KFWB. The telecast was said to be the first in Hollywood premiere history.

'Bells' Aids Cancer Fund

CHICAGO, May 26.—Local premiere of "Miracle of the Bells" at the RKO Palace last night netted $7,500 for the city's Cancer Fund. Producer Jesse L. Lasky, accompanied by Fred MacMurray, Frank Sinatra, Bill Williams and Barbara Hale, presented the proceeds to Maurice Goldblatt, president of the society.

Film Skips Second-Run

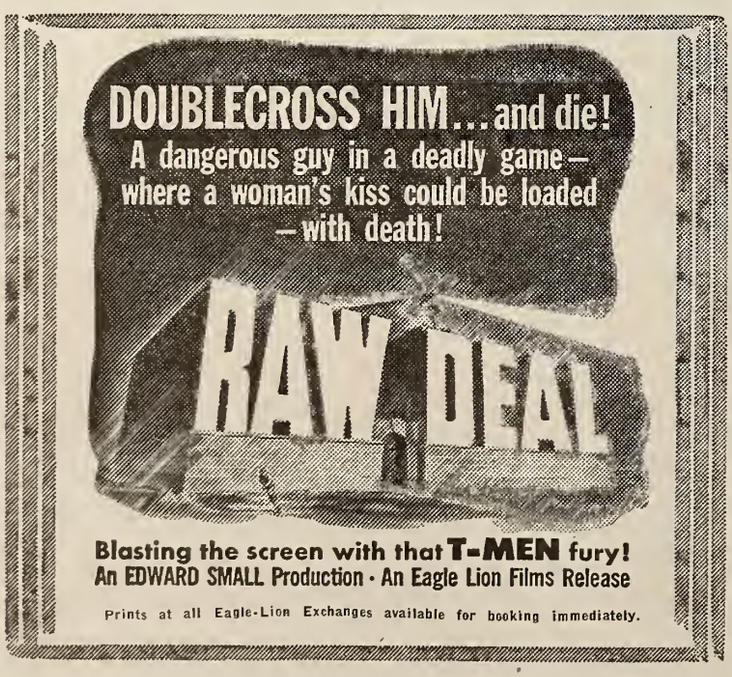
BOSTON, May 26.—Warners' "Winter Meeting" has gone to the third-run Olympia and Scollay theatres here from the first-run Metropolitan, thereby skipping the usual stops at the second-run Paramount and Fenway theatres. The film did $26,000 in its first week at the Metropolitan.

WB Sales Meet in Boston

BOSTON, May 26. — F. D. Moore, newly-appointed Warner district manager for the Northeast, has concluded his first sales meeting at the Boston office.

Declare Loew Dividend

Loew's board of directors has declared a dividend of 37½ cents per share on the common stock, payable June 30 to stockholders of record on June 11.



Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

"Silver River" and "Raw Deal" lead the first-run procession by widening margins in a week of pleasant weather. Most grosses continued unimpressive. Estimated receipts for the week ended May 26:

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—GUILD (965) (50c-65c-85c-$1.00). Gross: $7,000. Average: $7,100)
ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—IRIS (708) (50c-60c-85c-$1.00). Gross: $7,500. (Average: $7,100)
ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—RITZ (1,376) (50c-60c-85c-$1.00). Gross: $11,500. (Average: $10,300)
ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—STUDIO (880) (50c-60c-85c-$1.00). Gross: $8,000. (Average: $6,900)
ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—UNITED ARTISTS (2,100) (50c-60c-85c-$1.00). Gross: $16,000. (Average: $15,400)
B. F.'s DAUGHTER (M-G-M)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 6 days. Gross: $12,500. (Average: $13,900)
B. F.'s DAUGHTER (M-G-M)—FOX-WILSHIRE (2,300 (50c-60c-85c-$1.00) 6 days. Gross: $13,000. (Average: $13,800)
B. F.'s DAUGHTER (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 6 days. Gross: $20,000. (Average: $21,200)
FOUR FACES WEST (Sherman-UA)—MUSIC (Beverly Hills) (900) (65c-85c-$1.00) 6 days. Gross: $4,500. (Average: $4,300)
FOUR FACES WEST (Sherman-UA)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00) 6 days. Gross: $7,500. (Average, $9,600)
FOUR FACES WEST (Sherman-UA)—MUSIC HALL (Hawaii) (1,000) (65c-85c-$1.00) 6 days. Gross: $4,600. (Average: $5,200)
FOUR FACES WEST (Sherman-UA)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00) 6 days. Gross: $4,500. (Average: $4,300)
I, JANE DOE (Rep.) and THE GALLANT LEGION (Rep.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00) 2nd week for "I, Jane Doe" only. Gross: $7,000. (Average: $21,000)
I, JANE DOE (Rep.) and THE GALLANT LEGION (Rep.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-80c-$1.00) 2nd week for "I, Jane Doe" only. Gross: $4,000. (Average: $15,000)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—CARTHAY CIRCLE (1,516) (50c-60c-85c-$1.00) 2nd week. Gross: $8,000. (Average: $9,500)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—CHINESE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $11,000. (Average: $15,700)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 2nd week. Gross: $18,000. (Average: $21,700)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—LOYOLA (1,265) (50c-60c-85c-$1.00) 2nd week. Gross: $10,000. (Average: $10,000)
THE IRON CURTAIN (20th-Fox) and BEST MAN WINS (Col.)—UPTOWN (1,716) (50c-60c-85c-$1.00) 2nd week. Gross: $8,500. (Average: $10,800)
THE MIRACLE OF THE BELLS (RKO Radio) and WRECK OF THE HESPERUS (Col.)—HILLSTREET (2,700) (50c-60c-80c-$1.00) 2nd week. Gross: $11,000. (Average: $18,300)
THE MIRACLE OF THE BELLS (RKO Radio) and WRECK OF THE HESPERUS (Col.)—PANTAGES (2,000) (50c-60c-80c-$1.00) 2nd week. Gross: $9,500. (Average: $17,300)
RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—BELMONT (1,600) (50c-60c-85c-$1.00) 6 days. Gross: $8,000. (Average: $6,600)
RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—EL REY (861) (50c-60c-85c-$1.00) 6 days. Gross: $7,500. (Average: $7,000)
RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—ORPHEUM (2,210) (50c-60c-85c-$1.00) 6 days. Gross: $20,000. (Average: $14,300)
RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—VOGUE (800) (50c-60c-85c-$1.00) 6 days. Gross: $8,000. (Average: $7,500)
SILVER RIVER (WB) — WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 6 days. Gross: $22,000. (Average: $16,300)
SILVER RIVER (WB) — WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 6 days. Gross: $20,000. (Average: $12,400)
SILVER RIVER (WB) — WARNERS (WILTERN (2,300) (50c-60c-80c-$1.00) 6 days. Gross: $20,000. (Average: $12,600)

BOSTON

Business in Boston was pretty fair because of the weather. Rain and cold helped over the weekend to keep grosses up to average. Estimated receipts for the week ended May 26:

ARCH OF TRIUMPH (UA) and HERE COMES TROUBLE (UA)—STATE (3,500) (40 to 80c). GROSS: $18,000. (Average: $12,000)
ARCH OF TRIUMPH (UA) and HERE COMES TROUBLE (UA)—ORPHEUM (3,000) (40 to 80c). Gross: $30,000. (Average: $27,000)
FORT APACHE (RKO Radio) and BLONDE ICE (FC)—RKO BOSTON (3,200) (40 to 80c). Gross: $18,000. (No average here on account of summer schedule.
HAZARD (Para.) and ANGELS ALLEY (Mono.)—PARAMOUNT (1,700) (40 to 80c). Gross: $18,000. (Average: $17,000)
HAZARD (Para.) and ANGELS ALLEY (Mono.) — FENWAY (1,373) (40 to 80c). Gross: $12,000. (Average: $10,000)
IRON CURTAIN (20th-Fox) and ROCKY (Mono.)—METROPOLITAN (4,367) (40 to 80c). 2nd week gross: $24,000. (Average: $27,000).
LETTER FROM AN UNKNOWN WOMAN (UI) and MONEY MADNESS (FC)—RKO MEMORIAL (40 to 80c). Gross: $26,000. (Average: $22,000)
SIGN OF THE RAM (Col.) and HEART OF VIRGINIA (Rep.)—ASTOR (1,300) (40 to 80c). $9,500. (No average established here)
PARADINE CASE (SRO)—ESQUIRE (1,000) (90c to $1.25). 2nd week. Gross: $12,500.
SMUGGLERS (EL) and I KNOW WHERE I'M GOING (UI)—EXETER (1,300) (45 to 75c). 2nd week. Gross: $6,500.

FOR SALE

2—35mm Bell & Howell motion picture rackover camera outfits, complete with magazines, carrying cases, lenses and Akely Gyro Tripods. Also lighting equipment. Call Circle 6-0951.

RKO Family Shut Again

CINCINNATI, May 26. — The RKO Family Theatre, which has been playing a double-feature policy, changing three times weekly since reopening recently after a brief shutdown, has closed for the summer. No indication is given as to the date of reopening or future policy.

F-C Office in Salt Lake

Film Classics has opened a branch office in Salt Lake City to be operated out of Denver by Tom Bailey, B. G. Kranze, F-C general sales manager, reports here.

Mandates

(*Continued from page* 1)

ment to dispose of five of the chain's theatres ordered divested by the lower court some time ago.

The three-day weekend holiday also is expected to account for some delay in issuance of the mandates. The court officially is scheduled to adjourn for the summer next Tuesday but its uncompleted work is expected to hold it in session until June 14. Meanwhile, no new actions in the cases can be instituted in the lower courts until they have received the mandates.

Meanwhile, the Justice Department dismisses as "trade talk" all reports of the possibility of a new consent decree being discussed in the Paramount case. The Department's attitude appears to be that there is little defendants would be willing to concede in the event a decree was discussed which would not be implicit in the Supreme Court's opinion, whereas the Government stands to win much more by returning to the lower court with that opinion behind it.

Eyssell Named

(*Continued from page* 1)

Rockefeller Center, Inc., until 1940, will resume the presidency left vacant last May 11 by the death of Barton P. Turnbull.

As executive manager of the great city-within-a-city, Eyssell will have under his direction not only the Music Hall and Center Theatres but also the management of the 15 buildings that occupy more than 12 acres comprising Rockefeller Center. Eyssell first entered the motion picture business at the age of 16 when he became general assistant to the manager of a Kansas City suburban theatre. In 1925 he went to Los Angeles as manager of the Million Dollar Theatre. He soon became a key executive with Paramount-Publix with important assignments on the Coast, in Texas and New York.

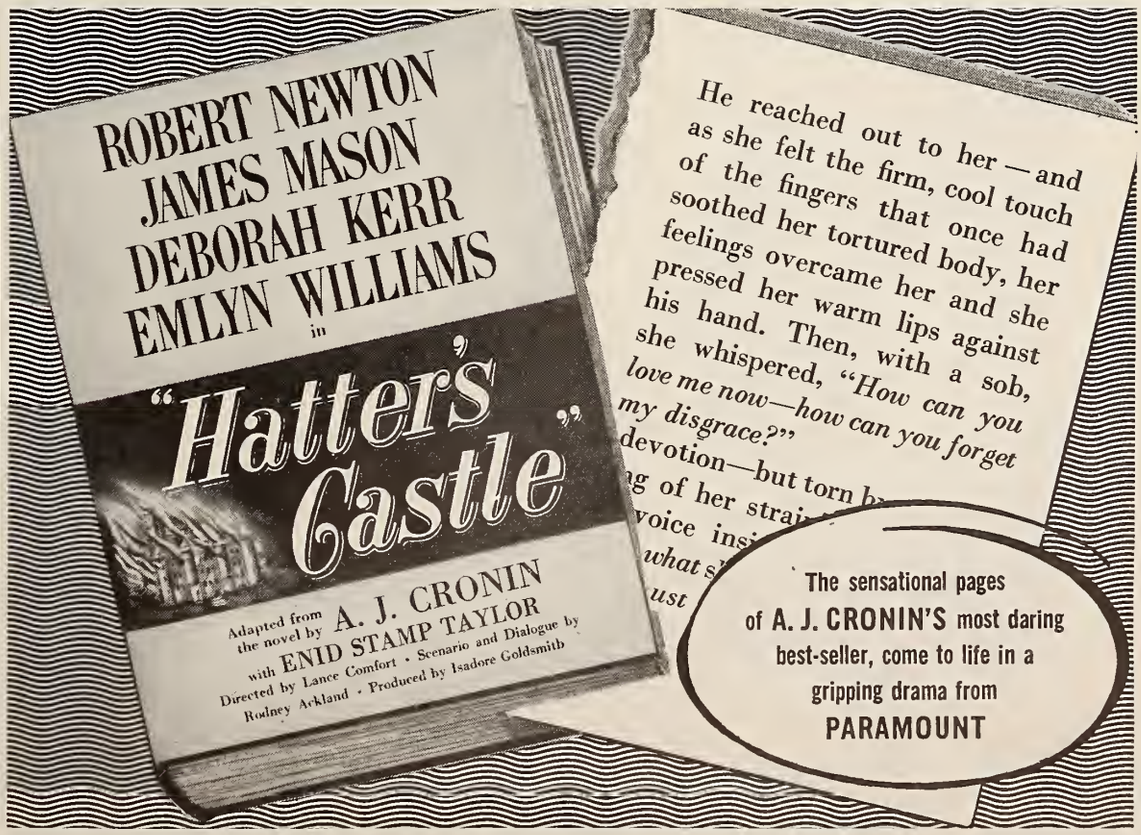
He became associated with Rockefeller Center when he joined the executive staff of the Music Hall in 1933, four months after the theatre opened, and in 1942 became president of the Radio City Music Hall Corporation and a member of the board of directors of Rockefeller Center, Inc.

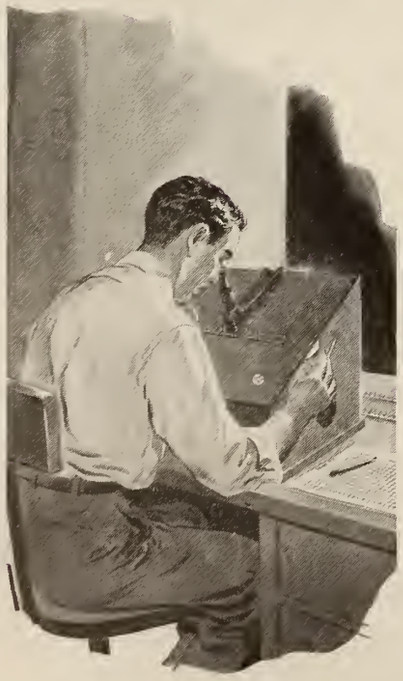
Loop Rialto Switch

(*Continued from page* 1)

outlying theatres until completion of a run at a non-defendant house.

A defendant distributor, for example, Metro, could move over its "Easter Parade" into the Rialto, were it to play the Chicago Theatre, a B. and K. defendant house, for a two-week run before the neighborhoods play it. However, under the decree, should a distributor decide to impose any clearance on a film following a moveover at the Rialto, the clearance must revert back to the time of the original engagement, if it is a defendant house.





He makes the most of moonlit moments . . .

IT'S mighty important to star . . . director . . . movie-goer . . . to have this moonlit moment come alive upon the screen.

And when it does—in all its subtlety of mood in light and shadow—the credit's due in no small measure to the important contribution of the laboratory control engineer.

For his knowledge of photochemistry, his "eye" for photographic quality . . . his vigilant control of printing density and contrast . . . do much to make moonlight footage *look* like moonlight, and help to bring out the best in every frame of film.

Quality of film contributes, too; and this important assistance the laboratory control engineer is sure of when he works with the famous Eastman family of motion-picture films.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 104 NEW YORK, U.S.A., FRIDAY, MAY 28, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

Allied Urges Bolstering of Trust Laws

SIMPP Also Supports Action by House Group

WASHINGTON, April 27. — A House committee investigating ways to tighten the anti-trust laws has been asked by Allied States to "inquire especially into the need for strengthening those laws with respect to vertical integration and to amend the Robinson-Patman Act to prevent discrimination in royalties and rentals under copyrights and patents."

Allied's request was made in a telegram signed by general counsel Abram F. Myers, who pledged Allied's support of the investigation, which is being undertaken by the House Small Business Committee. The committee also received a pledge of support and cooperation from the Society of Independent Motion Picture Producers, delivered over the phone by Gunther Lessing, vice-president of the Society.

Myers said later what he had in

(Continued on page 3)

National Monogram Meeting in Chicago

CHICAGO, May 27. — Monogram franchise holders, district and branch managers and salesmen from all branches will meet here at the Drake Hotel on Saturday and Sunday, with Steve Broidy, president; Edward Morey, distribution vice-president, and Maurice Goldstein, sales manager, presiding. Sales policy will be stressed on "The Babe Ruth Story."

(Continued on page 3)

Egypt Orders Film Remittances Halted

Film remittances from Egypt have been stopped, according to a cable received here yesterday by Gerald M. Mayer, director of the Motion Picture Association of America's international division. Mayer said it is assumed that the step was taken by the Egyptian government because of the situation in Palestine.

Prior to the ban, U. S. film companies had been receiving a remittance of 50 per cent.

British Will Study Needs of Producers

LONDON, May 27.—Despite a general feeling in the House of Commons and the industry here that British Board of Trade president Harold Wilson was rash in promising governmental subsidy for needy independent producers, Wilson is expected to announce shortly a committee to inquire into the requirements of those independents, most of whom are now out of business.

This was indicated in Commons today by Wilson's deputy, Overseas Trade Secretary A. G. Bottomley, who told the house that the Anglo-American film agreement may be published early next week.

London financial quarters view with apprehension Wilson's four-month-old pledge to secure government aid for independents, and today several of the government's own supporters in Commons described present conditions as providing the greatest opportunity for the British film industry to establish itself on a "firm basis."

Gamble Top Stassen Aide in Philadelphia

Ted R. Gamble, president of the Theatre Owners of America, has agreed to serve as convention manager for Republican Presidential candidate Harold P. Stassen, according to a TOA press statement. Gamble, who is now at his home in Portland, will arrive in Philadelphia next Wednesday to handle organization work.

"During the recent primary in Oregon, Mr. Gamble supported Stassen and made public appearances with him," and "although Governer Dewey won the popular vote by a small majority, Stassen succeeded in carrying a large majority of the counties in the state by the popular vote," TOA said.

Fielding Will Join Loew's on July 1

Coincident with the announcement here yesterday by Mayor William O'Dwyer that New York City License Commissioner Benjamin Fielding had resigned, Nicholas M. Schenck, president of Loew's, announced that Fielding will join the company in an executive capacity on July 1.

Fielding's duties will involve various departments to which his experience in finance, economics and administration will be adapted.

Oblivion Overtakes NY Censorship Bill

New York City Councilman Edward A. Cunningham's bill to broaden City License Commissioner Benjamin Fielding's censorship powers over motion pictures, plays and all advertising relating to them has lain dormant in the Council's general welfare committee since it was introduced some seven weeks ago. At the time he introduced the bill, which Fielding opposed strenuously on the ground that "there is sufficient statutory authority now," Cunningham indicated that "speedy action" would be taken for "immediate passage."

The clerk of the committee said yesterday that no requests have been made for the bill to be reported out for action by the Council. There is no way to tell, he added, whether the bill ever will be considered by the legislators.

Spokesmen for New York theatre interests said they believe the bill is "dead." Exhibitors here have gone on record against the proposal.

Hacker and FitzGibbons Receive 1947 QP Awards

Charles R. Hacker, district manager for Standard Theatres Management in Milwaukee, and Mildred FitzGibbons, manager of the Skouras Roosevelt Theatre in Flushing, N. Y., yesterday were presented with the 1947 Quigley Showmanship Awards plaques by Martin Quigley at a reception at the Monte Carlo here. Hacker, who received the Silver Grand Award, sent his winning entry while managing the Palace Theatre in Milwaukee. Miss FitzGibbons received the Bronze Award.

Among those invited to the reception were George Skouras, Harry Kalmine, Oscar Doob, Howard Dietz, Leonard Goldenson, Silas Seadler, Malcolm Kingsberg, Charles Schlaifer, Dan Michalove, Maurice Bergman, John O'Connor, Mort Blumenstock, Harry Goldberg, Gus Eyssell, Harry K. Williams, David O'Malley, Lige Brien, Alfred Zimbalist, Lynn Farnol, Arthur Schmidt, Ernest Emerling, H. M. Richey, Ben Washer, Sid Mesibov, Steve Edwards, Milt Silver.

Also, S. Barret McCormick, Leon Bamberger, Harry Mandel, Ben Grimm, Rutgers Neilson, Jock Lawrence, Paul Lazarus, Jr., Sam Shain,

(Continued on page 3)

U. S. to Move For Decree but Not by Consent

Decision Ranked Among 2 Top Ones This Term

WASHINGTON, May 27. — Attorney General Tom Clark declared here today that, "we are going to move ahead for a decree in the Paramount case, and it won't be a consent decree."

Clark told a press conference that the Justice Department has not been approached on the subject of a possible consent decree.

The Attorney General hailed the Paramount decision as the most important anti-trust ruling "from the standpoint of concentration" in many years. He said that the Paramount decision ranked with the decision in the cement case as the two most important anti-trust decisions this term, a term that he declared to be more significant than any in years as far as

(Continued on page 3)

Industry Backs UA Stand, Sopeg Avers

Charging that the industry "is behind" the refusal of United Artists' management to negotiate a contract renewal with CIO's Screen Office and Professional Employes Guild and also the so-called "shop raid" by AFL's IATSE Home Office Employes Local No. H-63, a special membership meeting of SOPEG has instructed the SOPEG executive board to prepare

(Continued on page 3)

Simonelli Heads 'U' Exploitation Here

Charles Simonelli has been appointed to the new post of Eastern exploitation manager for Universal-International, it was announced yesterday by John Joseph, national director of advertising-publicity, and Maurice A. Bergman, Eastern director.

Simonelli joined the department in New York six years ago, and has been director of special events.

No Paper Monday

***Motion Picture Daily* will not be published on Monday, a legal holiday in observance of Memorial Day on Sunday.**

Personal Mention

HERMAN WOBBER, HARRY G. BALLANCE, JACK LORENTZ, RAY MOON and ARTHUR SILVERSTONE, 20th Century-Fox division sales managers, left here yesterday for their respective posts in the field.

•

CHRIS DEFILIPPO, assistant manager of Walter Reade's Carlton Theatre in Red Bank, N. J., will be married on Sunday to ANNE SWEEL of Red Bank, former Reade employee at the Strand of that town.

•

VINCENT TROTTA, National Screen Service art director, will fly to Athens, Tenn., tomorrow from New York to attend the graduation of his daughter, MARIA, from Tennessee Wesleyan College.

•

H. WILLIAM AUTEN of Eagle-Lion's foreign department, will fly to London today from here on a trip to Continental Europe and the Near East.

•

NORMAN AYRES, Warner Southern division sales manager, has left here for Atlanta and Charlotte. He is due back next Tuesday.

•

MRS. MINETTE GOLDSTEIN, field public relations representative for Century Theatres here for 15 years, has resigned.

•

WILLIAM B. ZOELLNER, M-G-M short subjects sales manager, left Boston yesterday for a tour of Central, Midwest and Western exchanges.

•

M. J. MULLEN and SAM PINANSKI of the New England circuit are expected to return to Boston today from New York.

•

THORNTON SARGENT of National Theatres, and SAM SHAIN, 20th Century-Fox exhibitor relations head, are in Washington from New York.

•

A. PAM BLUMENTHAL, member of the Cinecolor board, will leave Hollywood by plane today for New York.

•

OTTO KOEGEL, 20th Century-Fox general counsel, left here yesterday by train for the Coast.

•

CHARLES SKOURAS, National Theatres president, is expected here next Thursday from the Coast.

•

HERMAN MANKIEWICZ, producer-writer, is due back in Hollywood today from New York.

•

G. L. CARRINGTON, Altec president, and A. A. WARD, vice-president, are here from the Coast.

•

VANCE SCHWARTZ, operator of the National Theatre, Louisville, left New York yesterday for Dallas.

•

DELIGHT EVANS has resigned as editor of *Screenland* magazine.

Insider's Outlook

By RED KANN

ANSWERING a stockholder concerned about the possible effect on the company's future as a result of the U. S. Supreme Court's decision in the Government anti-trust suit against the industry [Spyros] Skouras expressed the belief that 'in the long run' 20th-Fox stood to profit from better film rentals in the event [theatre] divestiture became a reality"—MOTION PICTURE DAILY, May 19.

"We have not reached final conclusions as to its [the decision's] full meaning and any conclusions we do reach will be subject to developments and rulings in the course of the trial in the lower court and to further review by the Supreme Court. In these circumstances, it is impossible for me to predict the outcome of the litigation or to tell you now what our position [as to theatres] is or will be in relation to the numerous problems which the decision presents to us."—*Barney Balaban* in a letter to Paramount stockholders.

"In view of the fact that further proceedings must be held, it is impossible to foretell what theatres, if any, your company must dispose of and what general effect the opinion of the Supreme Court will have upon the operation of the business of your company."—*N. Peter Rathvon* in his annual report to RKO stockholders.

Is everything clear now?

■ ■

No. 1 on the industry's Hit Parade: *"There'll Be Some Changes Made."*

■ ■

Spyros Skouras was tracing the downward curve of 20th-Fox's negative charges the other day. Average cost of the 24 to 25 attractions to be released this year is $1,900,000 for a total investment of $47,500,000. This compares, he said, with an average of $2,300,000 for each of 18 released last year, or a total of $41,400,000. Films now in production—they won't reflect themselves for some months—are averaging $1,300,000 each.

What follows doesn't prove much of anything, but is an interesting set of figures to ponder:

If 1948 negative cost levels—$1,900,000 per film—had prevailed in 1947, the company would have gotten 22 attractions instead of 18. If current cost levels—and $1,600,000 per picture—had been the order, 25 films would have come out of that $41,400,000.

On the basis of 25 attractions, furthermore, the present level of $1,600,000 per release would mean an overall investment of $40,000,000. A reduction of $7,500,000.

It can make all the difference.

■ ■

NEATEST TRICK OF THE YEAR: "We do not take that course in the case of formula deals and master agreements, for the findings in these instances seem to *stand* on their own *bottom* and apparently have no necessary dependency on the provision for competitive bidding."—Pgh. 6, Sec. 4 [Formula Deals, Master Agreements and Franchise] *United States vs. Paramount, et al.* Mr. Justice Douglas delivering the opinion of the court.

■ ■

Hollywood-type reporting: Hedda Hopper says "Robinson Crusoe," a contemplated project of M-G-M, has never been staged or filmed before except in a theatre in London.

FBO, which was RKO if you trace it back far enough, released a "Crusoe" in '28.

■ ■

Double event for Charles Simonelli today: His 25th birthday and first day in his new post as Eastern exploitation manager for Universal. Six years ago he was an office boy who also clipped newspapers.

■ ■

Have you heard about that film which turned out to be such a flop it set back the nephews in Hollywood 25 years?

■ ■

SUCCESS NOTE: "T-Men" cost $450,000 to produce and is heading for a $1,500,000 gross. Domestic, that is.

OF COURSE
you'll make money with...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

E-L to Distribute Cavalier Productions

HOLLYWOOD, May 27.—Cavalier Productions, headed by actor Robert Young and Eugene B. Rodney, will distribute through Eagle-Lion, making it the eighth independent operating on the E-L lot, including Walter Wanger, Bryan Foy, United California Pictures, Paul Henreid, William Moss, Bebe Daniels and William Katzell.

Lou Weiss to Make Five Beatty Films

HOLLYWOOD, May 27.—Louis Weiss has signed Clyde Beatty to star in five pictures, to be turned out at the rate of one a year. Beatty's lions, tigers and other beasts will appear with him.

Sack Names Jackson

DALLAS, May 27.—Jack Jackson, industry veteran, has been named head of the foreign films division of Sack Amusement Enterprises, by Alfred N. Sack, general manager.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

VERONICA LAKE
JOAN CAULFIELD
BARRY FITZGERALD
"the Sainted Sisters"
A Paramount Picture
in Person
BUDDY MORENO and His Orchestra
LINA ROMAY
THE WIERE BROS
Extra HENNY YOUNGMAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Merle OBERON • Robert RYAN • Charles KORVIN • Paul LUKAS
Berlin Express
RKO RADIO PICTURE
VICTORIA Theatre
BROADWAY at 46th STREET

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR
B'WAY & 45th ST.

DANA ANDREWS • GENE TIERNEY
"THE IRON CURTAIN"
A 20th Century-Fox Picture
PLUS ON STAGE
ED SULLIVAN
his DAWN PATROL REVUE
ROXY 7th Ave. & 50th St.

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Allied Urges

(*Continued from page* 1)

mind was a study of the possibility of prohibiting ownership by one firm of production, distribution, and retailing set-ups.

He said that while this "may not be necessary in the motion picture industry if the Supreme Court's Paramount decision is carried out in good faith, it might still be necessary in other fields." The court's decision in the Paramount case said that vertical integration was not illegal *per se,* but depended on various factors.

Myers pointed out that the Robinson-Patman Act at present prevents discrimination only in sales of articles, and not leases or licenses. He said an exhibitor now can use the fact that circuits are getting better terms only as one factor in a Sherman Act case, and can do nothing with the fact under the Robinson-Patman Act. If the act were amended as suggested by Allied, discrimination alone would give an exhibitor a cause for action.

No legislation will be submitted to this session of Congress but the committee hopes its recommendations will be the basis of legislation next session.

U. S. to Move

(*Continued from page* 1)

broadening Government anti-trust powers.

Pointing out that the death of Judge John Bright will necessitate choosing a new member for the three-judge New York court, Clark said the Justice Department will begin arguments "as soon as we can" for those portions of the case left open by the Supreme Court decision.

Asked whether he thought the section of the Paramount decision on freedom of the press showed that the court was ready to reverse its 1915 decision on local censorship, Clark said he had not read the opinion with this point in mind and was not ready to pass on the matter. However, he pointed out, the passage in Justice Douglas' opinion is not in itself enough to reverse the 1915 decision, which must be tested on a clear-cut case in which censorship is the main issue.

Vadnay to Europe

HOLLYWOOD, May 27.—Laszlo Vadnay, screen writer, has left here for Europe to obtain background material for "Miklos and the Dancing Bear," which George Pal will produce.

Reviews

"The Gallant Legion"

(*Republic*)

BUDGET-wise and in virtually every other respect "The Gallant Legion" stands head-and-shoulders above the routine Western. Production effort, camera work, acting, story and direction are commendable. Its principal failings are that it is overlong in the telling and its ending lacks elements of surprise.

Cast is headed by William Elliott, Adrian Booth, Joseph Schildkraut and Bruce Cabot, with principal support rendered by Andy Devine, Jack Holt, Grant Withers, Adele Mara and James Brown. Gerald Adams' screen play, from an original by John K. Butler and Gerald Geraghty, contains a complicated plot, the principal channel of which follows Elliott, an heroic Texan, to victory over a band of renegades and traitors who sought to partition the state at the end of the Civil War.

Cabot is the arch-villain whose ambition is to become "emperor" of West Texas, and Schildkraut, secondary villain, aids in inciting their henchmen to robbery and plunder to point up the Texas Rangers as impotent in police work and deserving of replacement by the former carpetbagger police force. To complicate things, Schildkraut's pretty niece, Miss Booth, and Elliott fall in love. Producer-director Joe Kane keeps the proceedings moving at a lively clip, and this has compensated considerably for plot transparency.

Running time, 88 minutes. General audience classification. Release date, July 25.

CHARLES L. FRANKE

"13 Lead Soldiers"

(*20th Century-Fox*)

BULLDOG Drummond, the suave sleuth, is confronted with a series of murders which are committed to gain possession of some lead soldiers. This is a better-than-average mystery film which should satisfy detective-story fans, telling a fascinating tale in an effective manner.

Tom Conway, as Drummond, discovers that there are several groups working to locate the 13 lead soldiers plus an ancient manuscript which holds the key to the hiding place of a vast treasure of an Anglo-Saxon king. Drummond realizes the significance of the soldiers and sets a trap for the murderer. He out-smarts the others, discovers the key, finds the treasure and apprehends the murderer.

Others in the cast include Maria Palmer, as one of the persons seeking the lead soldiers; Helen Westcott, as the daughter of a murdered scholar and John Neeland as "Algy," Drummond's faithful assistant. Bernard Small produced and Frank MacDonald directed. Irving Elman's screenplay is based on a "Sapper" story.

Running time, 67 minutes. General audience classification.

"Big Town Scandal"

(*Paramount*)

THE subjects of juvenile delinquency and Boys Town again serve as the basis for the latest production co-produced by William Pine and William Thomas. It is an interesting piece, both appealing and entertaining.

A newspaper reporter, Hillary Brooke, and her managing editor, Philip Reed, become interested in a group of boys who broke into a sporting goods store to steal basketball equipment. The judge paroles the boys to Reed, his paper gives them jobs and converts their building into a basketball court, with the managing editor becoming the coach.

One of the boys, the captain of the team, gets involved with some gamblers and fur robbers, who force the lad to work with them. At first he enjoys the easy money, but later realizes his folly. The mobsters shoot him as he attempts to double-cross them and is taken into custody by the police. It is indicated that he will receive credit for good behavior. Thomas directed, from Milton Raison's screenplay. Miss Brooke and Reed are pleased with their experiment in the fight against juvenile delinquency and plan to continue their efforts.

Running time, 62 minutes. General audience classification. Release date, July 30.

'Report for Action' Message Is Effective

"Report for Action," screened here yesterday for the trade press by 20th Century-Fox, a training film of the National Conference on the Prevention of Juvenile Delinquency, is a pictorial blueprint for the setting up of community conferences to explore the causes of juvenile delinquency and institute curative measures. In terms of its aims, the film is a neatly-edited affair with a clear and effective message.

The subject runs 17 minutes and was made by RKO Pathe for the TOA at the request of the Department of Justice; prints are available at 20th Century-Fox exchanges.

M.H.

Dismiss Suit vs. 'IA' Closed Shop Policy

HOLLYWOOD, May 27.—Federal Judge J. F. T. O'Connor has sustained a motion by IATSE Local No. 659 for dismissal of a $975,000 suit brought by Curtis Courant, European cameraman, who became a U. S. citizen last year and who claimed that "IA's" closed-shop policy here had deprived him of an opportunity to work at his craft. The jurist held the court has no jurisdiction since no diversity of citizenship now exists.

SOPEG Avers

(*Continued from page* 1)

"every step for 1948 contract negotiations, including strike preparations," it was disclosed here yesterday by Sidney Young, president of the union.

Young said a membership meeting also held by Screen Publicists Guild "followed the same pattern and emphasized the mutual need for closest cooperation between the two guilds against every form of employer attack."

The UA management recently informed SOPEG it would not negotiate with a union that had failed to file non-Communist affidavits as provided by the Taft-Hartley Law. SOPEG has not filed such affidavits.

96% of Voters Favor Union Shop in NLRB Vote at WB

Ninety-six per cent of the Warner home office "white collar" employes voted in favor of a union shop in their election yesterday, it was announced by Russell Moss, business agent of IATSE Home Office Employes Local No. H-63, the employes' bargaining agency. Of 629 workers who were eligible to vote, 601 voted for and 28 voted against, Moss stated.

The election result empowers Moss to negotiate a new contract with the company. H-63, which has represented Warner workers for several years, is seeking a 12½ per cent across-the-board increase.

QP Awards

(*Continued from page* 1)

Hank Linet, Melvin Gold, William White, Alec Moss, Bill Schulman and members of Quigley Publications.

The 1947 winners were selected from scores of entries submitted by showmen all over the United States and Canada and in several foreign countries, by industry executives who participated in the annual judging at New York's Waldorf-Astoria Hotel, last March, conducted by *Motion Picture Herald's* Managers' Round Table, of which Walter Brooks is director.

Monogram Meeting

(*Continued from page* 1)

"The Dude Goes West," and other product.

Others attending include Scott R. Dunlap, Harold Mirisch, Lou Lifton, Norton Ritchey, Lloyd Lind, franchise holders A. C. Bromberg, Herman Rifkin, Irving Mandel, E. Blumenthal, Lloyd Rust, William Hurlburt, Lon Fidler, Howard Stubbins, Mel Hulling, C. W. Trampe, Ben Williams, H. L. Berkson, William Onie, Nate Schult, and 125 men from the field.

Elliott Promoted

Robert Mochrie, RKO Radio distribution vice-president, has promoted Arthur Elliott, former salesman at the Montreal branch, to exchange manager in Calgary, replacing Reg Doddridge, resigned.

.....with 3 of the biggest showmanship events of the year.....

THE IRON CURTAIN

The first film ever to become an international front page news event! Returns from the 400-theatre Premiere are writing boxoffice headlines daily across the land!

GREEN GRASS of WYOMING

TECHNICOLOR

Now! Watch for record-breaking grosses to match the size of the tremendous 12-state, 268-theatre day-and-date premiere!

GIVE MY REGARDS TO BROADWAY

TECHNICOLOR

Boston's regards to 20th in June with the big World Premiere at the Memorial Theatre!.....to be followed day-and-date across the nation!

20th CENTURY-FOX

enters the Month of June with tested product, proved boxoffice power, payoff showmanship to back up its Sales Managers' Salute to Andy Smith Month!

1948 **JUNE** 1948

Captain From Castile

TECHNICOLOR

One of the year's great hits! Motion Picture Herald Boxoffice Champion two months in a row!

Call Northside 777

The biggest boxoffice of all 20th's true-to-life triumphs! Outgrossing "Boomerang!" and "13 Rue Madeleine"!

You Were Meant For Me

All the sweet things rolled into one tuneful ticket seller! The new musical technique that's terrific!

Gentleman's Agreement

Most acclaimed film in history! Academy Award Picture! M. P. Herald Boxoffice Champion, February, March, April . . .

Sitting Pretty

Right up there with "Margie" and "Mother Wore Tights"! M. P. Herald Boxoffice Champion, April...

Scudda-Hoo! Scudda-Hay!

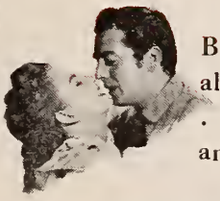
TECHNICOLOR

A boxoffice triumph in the tradition of "Flicka" and "Home In Indiana"!

Anna Karenina

From the most widely read novel of all time! "That the picture will play to big grosses is certain," says Variety!

Fury At Furnace Creek



Big and exciting as all outdoors! Action . . . on the screen and at the boxoffice!

...and wherever these pictures play, smart showmen are booking them with ***MOVIETONE NEWS, MARCH OF TIME, TERRYTOONS*** *or other selected* ***SHORT SUBJECTS!***

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Loop box-office leader is the Horace Heidt show which is doing capacity business. Weekend attendance was brisk, with ideal weather prevailing. Majority of hold-overs are doing moderate business. "Hazard" is okay. Estimated receipts for the week ended May 27:

BERLIN EXPRESS (RKO-Radio) — PALACE (2,500) (67c-98c) 5 days, 2nd week.
MIRACLE OF THE BELLS (RKO-Radio) 2 days. Gross: $23,000. (Average: $25,000).
CAGED FURY (Para.) — STATE LAKE (2,700) (98c). On stage: Sammy Kaye. Gross: $35,000. (Average: $35,000).
FURY AT FURNACE CREEK (20th-Fox) —MONROE (953) (50c-67c-98c) 5 days, 3rd week. **THE SEARCH (M-G-M)** 2 days. Gross: $11,000. (Average: $12,000).
HAZARD (Para.) — UNITED ARTISTS (1,700) (98c). Gross: $22,000. (Average: $21,500).
RIVER LADY (U-I) — GRAND (1,150) (67c-98c) 2nd week. Gross: $10,000. (Average: $16,000).
SONG OF MY HEART (Allied Artists) — APOLLO (1,200) (98c) 2nd week. Gross: $9,000. (Average: $17,000).
STATE OF THE UNION (M-G-M) — WOODS (1,080) (98c) 3rd week. Gross: $20,000. (Average: $23,000).
THE CRIMSON KEY (20th-Fox) — ORIENTAL (3,300) (98c). On stage: Horace Heidt. Gross: $70,000. (Average: $40,000).
THE IRON CURTAIN (20th-Fox)—CHICAGO (3,900) (98c) 2nd week, 6 days. Gross: $28,000. (Average: $37,000).
WOMAN IN WHITE (WB) — ROOSEVELT (1,500) (98c) 5 days, 2nd week.
DUEL IN THE SUN (SRO) 2 days. Gross: $18,000. (Average: $20,000).

See Dietz for Allied Post in St. Louis

ST. LOUIS, May 27.—Andy Dietz has resigned as field man for Motion Picture Theatre Owners of St. Louis, Eastern Missouri and Southern Illinois in what is described on Film Row here as the first move in an attempted Allied States raid on the St. Louis territory, long dominated by Fred Wehrenberg's MPTO.

Dietz is reported to have been retained at the Allied States board meeting in Denver last week.

Tax Pends in Mt. Sterling

MT. STERLING, O., May 27.—A three per cent admission tax has been proposed by the village council. Annual license fee of $1 also would be imposed. Fee of $15 yearly would be charged for any coin-operated machine.

Final Schlaifer Lecture

Final session of the five-week course on "The New Significance in Motion Picture Public Relations," given by 20th Century-Fox advertising-publicity head Charles Schlaifer, will be held here tonight at The New School.

FOR SALE

2—35mm Bell & Howell motion picture rackover camera outfits, complete with magazines, carrying cases, lenses and Akely Gyro Tripods. Also lighting equipment. Call CIrcle 6-0951.

Reviews

"Blonde Ice"

(Film Classics)

LESLIE BROOKS, Robert Paige and Walter Sande are starred in "Blonde Ice," a routine murder yarn which derived its title from a cold and scheming blonde who murders several men who thwarted her social and financial ambitions.

Adapted by Kenneth Gamet from the novel "Once Too Often" by Whitman Chambers, the picture opens with Miss Brooks shooting her socialite husband and returning to the arms of Paige, a sportswriter. Later she kills a small-time gangster attempting blackmail and then a politician who refuses her hand in marriage. All the while Paige is suspected of the crimes. A psychiatrist traps her into a confession. Produced by Martin Mooney and directed by Jack Bernhard, the picture should go over in those situations where patrons enjoy crime films.

Running time, 72 minutes. General audience classification. Release date, May 20.

"King of the Gamblers"

(Republic)

HEADLINES of some months ago concerning racketeering in sporting fields provide the basis for a plot with action which has a tense and exciting climax when an innocent man is cleared of a murder charge. The cast is headed by Janet Martin, as the sister of a murdered football player, and William Wright, as the clever lawyer who wins the acquittal. Others in the cast include Thurston Hall, editor of a sports paper, and George Meeker, "king of the gamblers."

A group of gamblers are fixing football games. When the player accepting the bribes decides to reveal the story, he is murdered by the gang and another football player is framed. The latter's lawyer gathers the evidence which frees the innocent athlete. Stephen Auer was associate producer and George Blair directed, from an original by Albert DeMond and Bradbury Foote.

Running time, 60 minutes. General audience classification. Release date, May 20.

Republic Dividend

Republic's board yesterday declared a regular quarterly dividend of 25 cents per share on preferred stock, payable July 1 to stockholders of record on June 10.

Academy Adds 30

HOLLYWOOD, May 27.—Thirty members have been added to the Academy of Motion Picture Arts and Sciences.

Declare RKO Dividend

Board of directors of Radio-Keith-Orpheum yesterday declared a dividend of 15 cents a share on the common stock, payable July 1 to stockholders of record on June 15.

Joins Century Projector

Mark S. Hoban has been appointed factory manager of Century Projector Corp. here.

Video Is No Threat To Theatres: Popkin

HOLLYWOOD, May 27.—"Within two years, television will be less of a problem than radio was in its heyday," in the opinion of Harry Popkin, head of Cardinal Pictures and operator of 30 theatres in Southern California.

"Television will take no appreciable bite out of box-office revenues, apart from the initial appeal value," [illegible]ed Popkin, who is just finishing the first of 10 for United Artists release.

Delay Deluxe Hearing

CHICAGO, May 27.—Hearings on the Deluxe Theatre case in which Abraham Brussells, plaintiff's attorney, was required to furnish briefs in opposition to a motion by Paramount and Balaban and Katz, defendants, to strike out certain paragraphs, was moved today from May 29 to July 28 in U. S. District Court, before Judge Campbell.

Two 'Duel' Records

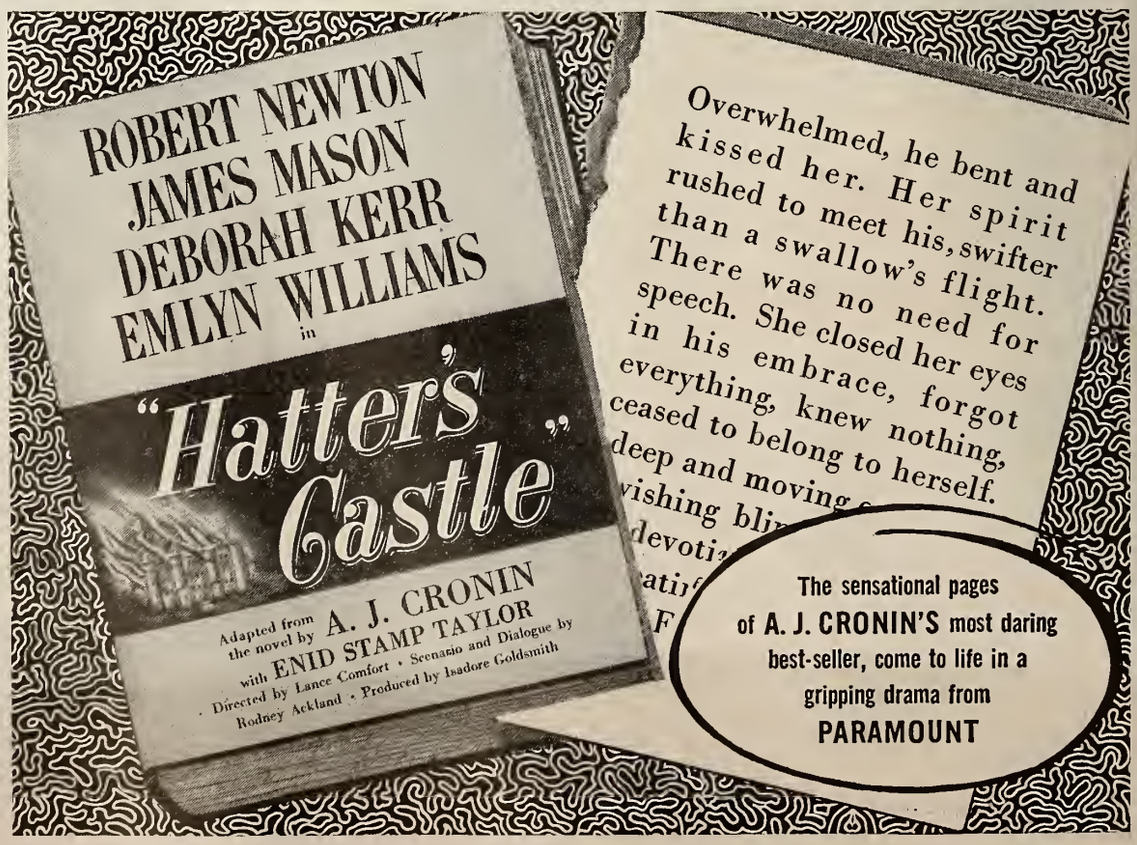
MEXICO CITY, May 27.—"Duel in the Sun" set two new records for Mexico, a run of seven months and a $225,000 gross up to May 22, according to Manny Reiner, Selznick Releasing Organization supervisor for Latin America and Australasia, who is here preparing for "The Paradine Case" opening next month.

Morton, 20th Talk Deal

Talks between 20th-Fox and Alfred H. (Doc) Morton, president of the National Concert and Artists Corp., on a deal to join the film company's television department are under way. Morton once headed NBC's video activities.

E. A. Harms, Exhibitor

COLUMBUS, Neb., May 27.—Services were held here for E. A. (Gus) Harms, who formerly owned the Arbor and Apollo theatres in Omaha.



FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 105 NEW YORK, U.S.A., TUESDAY, JUNE 1, 1948 TEN CENTS

FILE COPY DO NOT REMOVE

450 Drive-ins Operating by Season's End

300 Now in Business; 600 Cars Is the Average

Drive-in theatres in the U. S. total about 300, with an average capacity of 600 cars, according to a MOTION PICTURE DAILY survey of the field, and indications are that there will be about 150 more by early autumn.

Drive-ins are widely dispersed. Greatest concentration exists in the Atlantic seaboard area. There are relatively few in the internal Northwest, land of great distances and few concentrations of motoring population.

The Chicago metropolitan area is to have five more drive-ins. Frank Find and Irving Gandell, owners of Outdoor Theatre, Inc., are building on North Avenue, to open about July 1. The LaGrange drive-in has been completed, and its builder, Mid-West Drive-Ins, Inc., is building in Griffith, Ind. In Oaklawn, Ill., the Twin Open-Air Theatres are being built with two screens back to back, each to show films to occupants of 1,000 cars, at a reported $690,000.

UA 'Majority' Is Now Officially 'IA'

"An overwhelming majority" of United Artists' home office "white collar" workers today will become dues-paying members of AFL's IATSE Home Office Employes Local No. H-63 and thus will sever all ties with Screen Office and Professional Employes Guild (CIO), it was reported at the weekend by H-63 spokesmen. SOPEG's contract with UA expired yesterday, and the company has refused to negotiate a new contract

(Continued on page 7)

Downing and Gould Promoted by Eyssell

Russell V. Downing was named executive vice-president of Radio City Music Hall Corp. over the weekend by G. S. Eyssell, president. He was formerly vice-president and treasurer. Eyssell, who last week was named executive manager of Rockefeller Center, Inc., made the announcement at a luncheon-meeting of the theatre's executive staff. He also announced the

(Continued on page 7)

April Taxes Were Off

WASHINGTON, May 31.—General admission tax collections in April, reflecting March box-office business, were off considerably from April, 1947, the Bureau of Internal Revenue reports, April collections totaling $31,146,236, compared with $33,412,813 in April, 1947.

March, 1948, collections exceeded the 1947 total, but February collections this year were below last year's. Thus, in only one of the first three months of 1948 was box-office business better than in 1947.

These figures are only for general admissions, including sporting events, legitimate theatres, and other admissions as well as motion picture theatres, but do not include cabaret taxes or taxes on various ticket overcharges and premiums. April, 1948, collections from general admissions and the other categories were $35,897,575, compared with $38,619,325 last April.

High Court Action Asked by 10 Cited

WASHINGTON, May 31.—The 10 Hollywood writers, directors and producers charged with contempt of Congress asked the Supreme Court on Friday to accept a case challenging the constitutionality of the House Un-American Activities Committee, declaring they did not believe the high court "will permit such a Governmental inquisition to endure."

Counsel for the 10 filed a petition to act as friend of the court in a case being appealed by officers of the Joint Anti-Fascist Refugee Committee. These officers were also convicted for being in contempt of the House group.

"On behalf of all citizens and artists

(Continued on page 7)

Television Will Not Hurt Films: Babson

Boston, May 31.—Television will not hurt the motion picture business for many years, if then, because it is quality and not quantity that counts in films, in the opinion of Roger W. Babson, president of the Babson Statistical Organization of Wellesley, Mass.

Film stocks will remain steady and firm, he predicted, despite current trade uncertainties occasioned by the Supreme Court decision, foreign market conditions and a lag in domestic theatre attendance.

Clark Praises TOA On Youth Drive

WASHINGTON, May 31.—Theatre Owners of America campaign in support of the Attorney General's drive against juvenile delinquency got warm praise Friday from Attorney General Tom Clark at a luncheon given to show the press "Report for Action," the two-reel film made by RKO-Pathe for TOA. Clark told reporters how much indebted the drive was to TOA for financing the film, and even more for generally getting behind the campaign when it began to lag and start it rolling again.

The luncheon, under the auspices of the National Conference on Juvenile Delinquency, was presided over by Thornton Sargent, director of public relations for Fox West Coast Theatres, who represented Charles Skouras, chairman of TOA's "Youth Month" committee. He was accompanied by Sam Shain, head of 20th Century-Fox exhibitor relations department.

Loew's Counts on State As Long-run Showcase

Dating of "Easter Parade" at Loew's State beginning June 30 will mark inauguration of an effort on the part of the Loew organization to develop a new long-run show window for M-G-M product in the Times Square area.

It is understood the plan is an outgrowth of careful study made of the Mayfair, former Loew subsequent-run house which was leased a number of months ago to Brandt Theatres. First attraction under Brandt management was "Gentlemen's Agreement," which played at advanced prices for 28 weeks. Loew executives see no reason why the same procedure cannot apply to the State and feel inception of the new policy there will get off to an appropriate start with the attraction selected. They also are aware that one of the problems confronting them will be the successor attractions, but are confident Metro's stockpile will suffice.

The State recently dropped vaudeville for first runs which the Loew circuit could not fit into the Criterion schedule. Top Metro product has been split between the Capitol and Radio City Music Hall.

SWG Will Sue Majors Today On Blacklists

Johnston, MPAA, SIMPP And IMPPA to be Named

HOLLYWOOD, May 31. — The Screen Writers Guild announced at the weekend that it will file in New York Federal Court, tomorrow a suit seeking an injunction to prevent producers from implementing their policy against employment of suspected subversives as enunciated by Eric Johnston on November 25 in sequel to the Washington hearings of the Thomas House Committee investigating "Reds" in Hollywood.

The suit, long in preparation by SWG attorney Thurman Arnold, will name Johnston, as president of the Motion Picture Association of America, the MPAA, the Society of Independent Motion Picture Producers, the Independent Motion Picture

(Continued on page 7)

U. S. Notifies Firms Of Proposed Decree

Company defendants in the Paramount case have received notice that the Government is prepared to file its proposed order carrying out the Supreme Court decision as soon as the high court's mandate in the case reaches the New York District court.

Similar orders, routine in all such cases, have been prepared by the Government in the Griffith and Schine cases, for filing with the Oklahoma City and Buffalo Federal District courts but hearings may not be sought on the latter two until some progress has been made in the Paramount case.

The Government's notice to defendants in the latter case advises them

(Continued on page 7)

Vote on U. S. 'Take' On British Pictures

Parties to the discussions on the workings of the Anglo-American *ad valorem* tax settlement have voted against the inclusion of U.S.-owned British picture earnings here in the British dollar pool for extra remittances.

Personal Mention

BARNEY BALABAN, Paramount president, and ED WEISL, attorney and board member have returned to New York from Los Angeles.

•

DOROTHY FARRINGTON, associated with Comerford Theatres' office here for the past 17 years, left the organization on Friday to retire to private life.

•

STUART DUNLAP, M-G-M manager for Argentina, arrived here at the weekend from the Coast. He will remain here until June 8 before heading for his Buenos Aires headquarters.

•

ADELE HARRIS, daughter of TED HARRIS, managing director of the State Theatre, Hartford, and MRS. HARRIS, will be married to VICTOR FEINGOLD of Hartford on June 20.

•

FRANK RAMSEY, Coast publicist and a former Warner theatre manager in Hartford, has returned to California from Connecticut.

•

SAM HORWITZ, assistant manager of Loew's Poli, Hartford, has returned to his post following a leave of absence.

•

BILL HAINES, United Artists special sales representative in Atlanta, has resigned to join Selznick Releasing Organization in the same capacity.

•

WILLIAM BAKER, Republic branch manager in Chicago, has returned to his office after several months' absence due to an illness.

•

WALTER MACEWEN, producer, flew to London over the weekend from New York. He is due back early next month.

•

ARTHUR W. KELLY, United Artists executive vice-president, returned to New York on Saturday from London and Paris.

•

PAUL TERRY and his family will go to Europe this month on a combined business and pleasure trip.

•

ALEX EVELOVE, Warner studio publicity director, left the Coast at the weekend for New York.

•

NORMAN ELSON, Translux vice-president, left here for Mexico over the weekend.

•

BERT KULICK, Bell Pictures executive, is in Hollywood from New York.

•

VINCENT SHERMAN, Warner director, is here from Los Angeles.

Davis Ill, Towler Succeeds at SRO

ATLANTA, May 31.—Bert Davis, has resigned from Selznick Releasing Organization on account of illness and has returned to his home in Texas. Nelson Towler, former branch manager of Eagle-Lion, replaces him as special SRO sales representative here.

Tradewise . . .

By SHERWIN KANE

THE Department of Justice, as reported in MOTION PICTURE DAILY last week, characterized current reports of consideration being given to a consent decree by some defendants in the Paramount case as "trade talk."

The Justice Department spokesman said "the Department has not been approached on the subject by anyone" and inferred that the Government is not interested in a consent decree because it regards the Supreme Court decision as granting the Government far more than the defendants conceivably would be willing to concede in the direction of a consent decree.

Twenty-four hours later Attorney General Tom Clark told a press conference that the Government is ready to move for a decree in the Paramount case, but "not a consent decree."

•

Quite obviously this is a case of the Government "protesting too much."

As the stories were heard in New York, there was no inference that anyone had approached the Department on a consent decree. The reports, subsequently verified, were that at least two defendants in the Paramount case were considering the advisability of investigating with the Department the present possibilities of a consent decree. That is only natural in the circumstances.

One major company general counsel, interested in consent decree exploration, told this department that a great deal of time, money and labor might be saved for both sides if a consent decree could be agreed upon. He added that it was his conviction that reasonable people could accomplish more by sitting down together around a table than by pursuing legal contests to the last technical move.

Accordingly, consideration of a consent decree is merely one avenue regarded by some Paramount case defendants as worth exploring. It is not in itself a basic defense stratagem or a procedure which all or even a majority of the defendants are agreed upon as being worthwhile. Unless it receives more support among defendants than it apparently has had up to now, it is highly unlikely that it ever will be broached to the Department as a method of disposing of the case insofar as all of the defendants are concerned.

•

Any good horse-trader will recognize the Government's protestations that no one has approached it yet concerning a consent decree, and even Clark's declaration that the Government will move for a decree, but not a consent decree, as an invitation to open up the bargaining.

What the Government really is saying is that it does not propose to make the first move but that if you boys have something to say to us on the subject, we're ready to listen.

In classifying the Paramount case as one of the two most important to be handled by the Supreme Court in the 1947-'48 session, Clark attaches a significance to it that it conceivably does not possess now. That is because some of the major phases of the case still remain to be determined. Its actual importance remains to be seen.

That could be what is behind Clark's thinkly veiled invitations to discuss a consent decree. The odds-makers give Clark seven more months in his present position. If in that time he is able to wrap up this case by consent decree it could be a most important and impressive addition to the record of the present Attorney General's tenure in office.

• •

Speaking off the record about television recently, a major company president placed himself on the side with those who see the new medium, at least for years to come, as a form of at-home diversion on a par with the radio set and the card table.

Then hedging, because he admitted without qualification that he regarded his own opinion as no more reliable than many another's, he pointed out that if he is wrong and television really becomes a vital commercial entertainment form within a matter of a few years, motion pictures inevitably will be its standard program material. Somebody will have to supply that demand, of course, and, inferentially, who is better prepared to do it than film-makers?

When and if that time comes, he said, he believes that theatres still will be the foremost retailers of that entertainment—films by television.

"Therefore," he concluded, "our major research in television today is in the field of large screen theatre projection."

Verbal Tilt on Sales Policies Sparks Trial

Question of whether or not distributors sell pictures uniformly in various cities and areas, and whether or not conspiracy is involved when selling policies are not uniform, served as the basis of a sharp verbal exchange on Friday between opposing attorneys in the Fifth and Walnut anti-trust suit being tried in U. S. District Court here.

Judge Vincent L. Leibel on Friday adjourned hearing of the $2,100,000 triple-damage action until Thursday.

Clark Awarded $500

HOLDENVILLE, Okla., May 31. — A $500 cash award has been sent to Horace Clark, local manager for Griffith Theatres, for his booklet on how to operate popcorn concessions more profitably.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

VERONICA LAKE
JOAN CAULFIELD
BARRY FITZGERALD
"the Sainted Sisters"
A Paramount Picture
in Person
BUDDY MORENO
And His Orchestra
LINA ROMAY
THE WIERE BROS
Extra HENNY YOUNGMAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Merle OBERON · Robert RYAN · Charles KORVIN · Paul LUKAS
Berlin Express
RKO RADIO PICTURE
VICTORIA Theatre
BROADWAY at 46th STREET

Walt Disney's
greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR
B'WAY & 45th ST.

ERROL FLYNN
ANN SHERIDAN
"SILVER RIVER"
IN PERSON
EDDY DUCHIN
AND HIS ORCHESTRA
and ARTIE DANN
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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Will Goliath defeat David this time?

The Amusement Industry appeals to YOU for the United Jewish Appeal

This is why we are so keenly interested in the United Jewish Appeal, and why you, and everyone else in the amusement world, should be interested.

World War II is over for the United States, and the British Empire, and France, and all the Allies. World War II is over for Germany and Japan. The war is over for everyone. Everyone—except the Jews in Palestine, in Cyprus and the D. P. camps in Europe.

The Holy Land has become a vast battlefield. Yet the Jews in Cyprus and the D. P. camps are eager to go there. They are more than willing to do their share of defending and dying, to save the Holy Land from the invader.

Goliath has invaded Palestine again. David has defied Goliath again. Will history repeat itself? Or will David be defeated this time?

David, right now, is more than defending his religion and his people and his life. He—and only he—has braved bullets and bayonets and bombs, to protect the holy landmarks of all faiths, from desecration and devastation.

A New York Times editorial says, "Mankind's most sacred shrines" are threatened with destruction. David stands alone and he defends alone. But while he stands, every sacred shrine stands. He is menaced with defeat. But he won't retreat. "Retreat to Where?" And echo answers: "Retreat to Where?"

In the language of show business, he is giving a great performance. He deserves a hand from everyone of us. The defender of the Holy Land is a worthy descendant of the immortal warriors of the Bible. We must help him. Either we contribute—or we contribute to his defeat. And his "Retreat to Where"?

Amusement Industry Division
United Jewish Appeal

The agencies included in the campaign of the
UNITED JEWISH APPEAL OF GREATER NEW YORK
250 WEST 57th STREET, NEW YORK 19, N. Y.

United Palestine Appeal
Joint Distribution Committee
United Service for New Americans
Joint Defense Appeal of the American Jewish Committee and Anti-Defamation League of B'nai B'rith
American Jewish Congress
National Jewish Welfare Board
Jewish Telegraphic Agency

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THE FUNNIEST COMEDY

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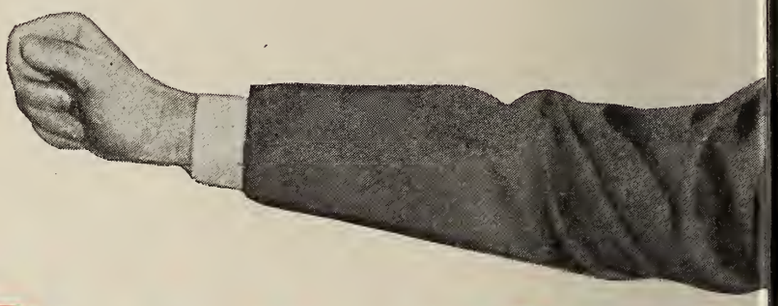

RED SKELTON

as

The FULLER B

co-starring

JANET BLAIR

with

DON McGUIRE · HILLARY BROOKE · ADELE JERGENS · ROSS FORD · TRUDY MARSHALL

DEA IN YEARS!

RUSH MAN

AN EDWARD SMALL PRODUCTION

Screenplay by Frank Tashlin and Devery Freeman

sed upon a SATURDAY EVENING POST story by Roy Huggins

Produced and Directed by S. SYLVAN SIMON

A COLUMBIA PICTURE

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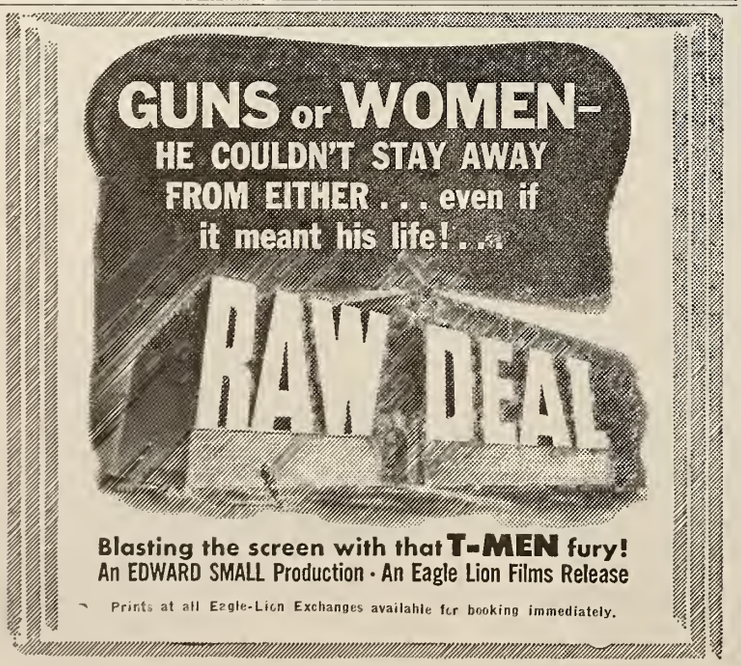

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Harry K. Thaw's

Luxurious 60-acre summer estate on Lake George is now for sale.

. . . at a fraction of its original cost. The palatial 18-room Spanish Villa-type residence overlooks the lake near Bolton Landing. FEATURES: Handsome paneling, beamed and vaulted ceilings, exquisitely carved fireplaces, 7 master bedrooms, 7 baths. Billiard room, bowling alley, electric pipe organ. Famed gardens, magnificent shade trees. Quarter-mile shoreline, sandy beach. Garage-lodge with 9-room apartment. Ideal school, sanitarium, private club.

$90,000 unfurnished. $125,000 furnished. Property #42145. Your broker or

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U. S. Notifies

(*Continued from page* 1)

that a hearing on the proposed order will be sought of Federal Judge Augustus N. Hand on June 15. Indications are that the court will be unable to hear the arguments at that time and will put proceedings over to next fall.

The Supreme Court mandate in the Paramount case is expected to be received by the New York court any day now, after which the Government's proposed order can be filed.

Notices to defendants on the proposed order by the Government request defendants to present their objections to the content of the order, in writing, to the Department of Justice, thus indicating that changes may be made before it is filed. Unsatisfied company objections can, of course, be argued when the court hears the Government petition.

Defense attorneys said the Government's proposed order "follows the Supreme Court opinion pretty closely." It eliminates from the proposed order those findings by the high court which were sent back to the lower court for reconsideration, such as divestiture, franchises and some phases of clearance. In addition, it asks the defendants to submit their views on how divestiture should be carried out.

The proposed order also includes a request for interim relief prohibiting defendants from acquiring theatres pending final disposition of the case. The high court removed that restriction from the New York court's decree.

The remainder of the proposed order would simply make the New York decree conform with the Supreme Court decision in all particulars except those remanded for further consideration and, upon receiving court approval, would make the new decree operative.

Defendant companies, of course, also can move for proposed orders in the case and could even do so before the Government's order is filed.

SWG Will Sue

(*Continued from page* 1)

Producers Association, and all major studios. It will be filed in the names of the SWG and 30 writers.

The SWG reiterates that the suit is not intended to be in defense of the 10 indicted for contempt in refusing to testify before the committee as to whether or not they are or ever were Communists, but, rather, seeks to prevent blacklisting.

In a move restricted to production in Hollywood, top executives of major companies and independents held a two-day meeting here on November 23-24 on the subject of employment of known Communists and adopted a policy of discharging or suspending the 10 cited for contempt and not employing any Communist or other person belonging to a group advocating the overthrow of the Government.

Downing and Gould

(*Continued from page* 1)

promotion of James Gould, assistant treasurer, to the post of treasurer.

Downing has served on the Music Hall staff since 1933, prior to that being assistant to the president of Tidewater Oil Co. and later treasurer of the Prudence Co., financial organization,

Film Lecture Series Ended by Schlaifer

An awareness of responsibility to the community, in addition to technical knowledge and exhibition experience, are the three ingredients most important to the motion picture publicist, Charles Schlaifer, Twentieth Century-Fox advertising and publicity director, told New School students here Friday at the final session of his course on "The New Significance in Motion Picture Public Relations."

New School has asked Schlaifer to prepare an enlarged series of lectures for next year.

Two New Theatres Set for Northwest

SEATTLE, May 31. — Plans for a $150,000 suburban theatre and store building have been completed. Construction of the 990-seater, which will be operated by L. W. Roe, is set to begin tomorrow.

At the same time, construction of a $40,000 theatre in Tacoma has been authorized in a permit issued to A. G. Pecchia of Eatonville. Work has already begun on the house which will have 500 seats.

UA 'Majority'

(*Continued from page* 1)

with that union because it has not complied with the non-Communist affidavit requirements of the Taft-Hartley Law.

The "majority" group has already named an H-63 contract negotiating committee and grievance committee of UA workers. H-63, meanwhile, is awaiting word from the National Labor Relations Board on its application for a shop election.

Sherman Adds Kyne Yarn

HOLLYWOOD, May 31.—"The Pride of Palomar," by Peter B. Kyne, has been added to Harry Sherman's production schedule. Other stories scheduled include "Tennessee's Partner," his next for Enterprise, and "Brandy for Heroes," "Ring Horse," "Carmen of the West" and the W. C. Tuttle "Hashknife" yarns.

Coming Events

June 3-4—United Theatre Owners of Illinois meeting, Kaskaskia Hotel, La Salle, Ill.

June 16-18—Annual territorial exhibitor-distributor "Round-Up" of the Salt Lake City Motion Picture Club in that city.

June 20-23—Theatre Owners of North and South Carolina summer meeting, Myrtle Beach, S. C.

June 28-30—Allied Theatre Owners of New Jersey annual convention, Hollywood Hotel, West End, N. J.

July 26-28—Associated Theatre Owners of Indiana annual convention, French Lick, Ind.

10 Cited

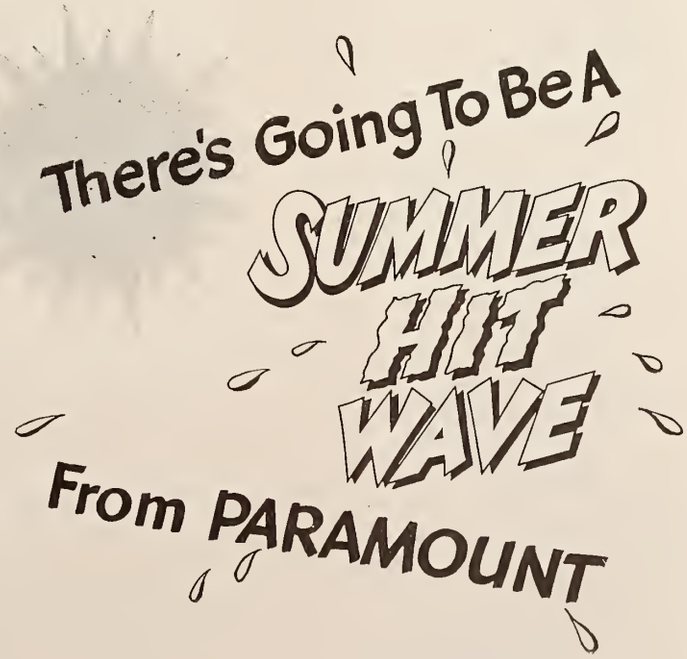
(*Continued from page* 1)

who value intellectual freedom," the petition urged the Court to review the lower court decision "so that one of the most momentous issues ever to come before the Court may be fully presented and argued."

The "unfriendly 10" cited attempts of the committee during the October Hollywood hearings to get suspected Communists discharged from film jobs as "one glimpse behind the curtain" into how the committee abridges freedom of opinion and belief. The petition declared that belief and formulation of belief must remain absolutely free under the Constitution, and that "the clear and present danger doctrine" is a limitation only on conduct, not belief. Finally, the petition said, the committee has consistently functioned so as to deny witnesses before it the due process of law guaranteed by the Fifth Amendment.

Giants at Screening

A special screening was held for the New York Giants at the Paramount home office here Friday, in which they saw themselves in the Grantland Rice Sportlight subject, "Big League Glory." The 10-minute subject, made by Jack Eaton, will be released nationally on June 11.



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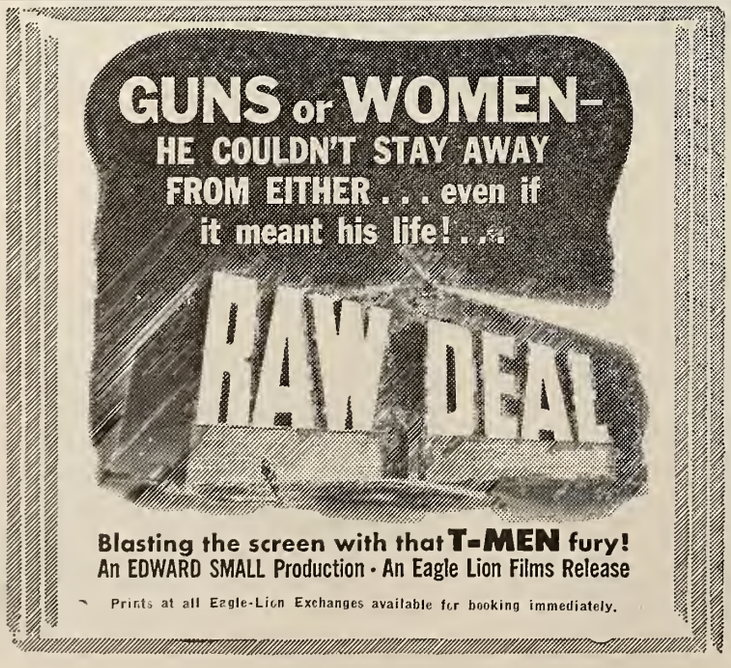

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Harry K. Thaw's

Luxurious 60-acre summer estate on Lake George is now for sale.

. . . at a fraction of its original cost. The palatial 18-room Spanish Villa-type residence overlooks the lake near Bolton Landing. FEATURES: Handsome paneling, beamed and vaulted ceilings, exquisitely carved fireplaces, 7 master bedrooms, 7 baths. Billiard room, bowling alley, electric pipe organ. Famed gardens, magnificent shade trees. Quarter-mile shoreline, sandy beach. Garage-lodge with 9-room apartment. Ideal school, sanitarium, private club.

$90,000 unfurnished. $125,000 furnished. Property #42145. Your broker or

PREVIEWS, Inc.

The National Real Estate Clearing House

49 EAST 53rd ST., NEW YORK 22

PLAZA 8-2630

U. S. Notifies

(*Continued from page* 1)

that a hearing on the proposed order will be sought of Federal Judge Augustus N. Hand on June 15. Indications are that the court will be unable to hear the arguments at that time and will put proceedings over to next fall.

The Supreme Court mandate in the Paramount case is expected to be received by the New York court any day now, after which the Government's proposed order can be filed.

Notices to defendants on the proposed order by the Government request defendants to present their objections to the content of the order, in writing, to the Department of Justice, thus indicating that changes may be made before it is filed. Unsatisfied company objections can, of course, be argued when the court hears the Government petition.

Defense attorneys said the Government's proposed order "follows the Supreme Court opinion pretty closely." It eliminates from the proposed order those findings by the high court which were sent back to the lower court for reconsideration, such as divestiture, franchises and some phases of clearance. In addition, it asks the defendants to submit their views on how divestiture should be carried out.

The proposed order also includes a request for interim relief prohibiting defendants from acquiring theatres pending final disposition of the case. The high court removed that restriction from the New York court's decree.

The remainder of the proposed order would simply make the New York decree conform with the Supreme Court decision in all particulars except those remanded for further consideration and, upon receiving court approval, would make the new decree operative.

Defendant companies, of course, also can move for proposed orders in the case and could even do so before the Government's order is filed.

SWG Will Sue

(*Continued from page* 1)

Producers Association, and all major studios. It will be filed in the names of the SWG and 30 writers.

The SWG reiterates that the suit is not intended to be in defense of the 10 indicted for contempt in refusing to testify before the committee as to whether or not they are or ever were Communists, but, rather, seeks to prevent blacklisting.

In a move restricted to production in Hollywood, top executives of major companies and independents held a two-day meeting here on November 23-24 on the subject of employment of known Communists and adopted a policy of discharging or suspending the 10 cited for contempt and not employing any Communist or other person belonging to a group advocating the overthrow of the Government.

Downing and Gould

(*Continued from page* 1)

promotion of James Gould, assistant treasurer, to the post of treasurer.

Downing has served on the Music Hall staff since 1933, prior to that being assistant to the president of Tidewater Oil Co. and later treasurer of the Prudence Co., financial organization.

Film Lecture Series Ended by Schlaifer

An awareness of responsibility to the community, in addition to technical knowledge and exhibition experience, are the three ingredients most important to the motion picture publicist, Charles Schlaifer, Twentieth Century-Fox advertising and publicity director, told New School students here Friday at the final session of his course on "The New Significance in Motion Picture Public Relations."

New School has asked Schlaifer to prepare an enlarged series of lectures for next year.

Two New Theatres Set for Northwest

SEATTLE, May 31. — Plans for a $150,000 suburban theatre and store building have been completed. Construction of the 990-seater, which will be operated by L. W. Roe, is set to begin tomorrow.

At the same time, construction of a $40,000 theatre in Tacoma has been authorized in a permit issued to A. G. Pecchia of Eatonville. Work has already begun on the house which will have 500 seats.

UA 'Majority'

(*Continued from page* 1)

with that union because it has not complied with the non-Communist affidavit requirements of the Taft-Hartley Law.

The "majority" group has already named an H-63 contract negotiating committee and grievance committee of UA workers. H-63, meanwhile, is awaiting word from the National Labor Relations Board on its application for a shop election.

Sherman Adds Kyne Yarn

HOLLYWOOD, May 31.—"The Pride of Palomar," by Peter B. Kyne, has been added to Harry Sherman's production schedule. Other stories scheduled include "Tennessee's Partner," his next for Enterprise, and "Brandy for Heroes," "Ring Horse," "Carmen of the West" and the W. C. Tuttle "Hashknife" yarns.

Coming Events

June 3-4—United Theatre Owners of Illinois meeting, Kaskaskia Hotel, La Salle, Ill.

June 16-18—Annual territorial exhibitor-distributor "Round-Up" of the Salt Lake City Motion Picture Club in that city.

June 20-23—Theatre Owners of North and South Carolina summer meeting, Myrtle Beach, S. C.

June 28-30—Allied Theatre Owners of New Jersey annual convention, Hollywood Hotel, West End, N. J.

July 26-28—Associated Theatre Owners of Indiana annual convention, French Lick, Ind.

10 Cited

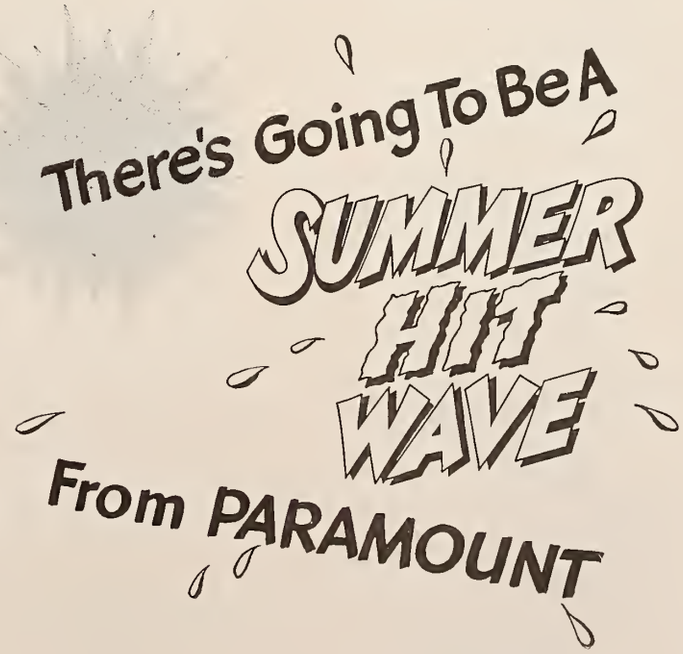
(*Continued from page* 1)

who value intellectual freedom," the petition urged the Court to review the lower court decision "so that one of the most momentous issues ever to come before the Court may be fully presented and argued."

The "unfriendly 10" cited attempts of the committee during the October Hollywood hearings to get suspected Communists discharged from film jobs as "one glimpse behind the curtain" into how the committee abridges freedom of opinion and belief. The petition declared that belief and formulation of belief must remain absolutely free under the Constitution, and that "the clear and present danger doctrine" is a limitation only on conduct, not belief. Finally, the petition said, the committee has consistently functioned so as to deny witnesses before it the due process of law guaranteed by the Fifth Amendment.

Giants at Screening

A special screening was held for the New York Giants at the Paramount home office here Friday, in which they saw themselves in the Grantland Rice Sportlight subject, "Big League Glory." The 10-minute subject, made by Jack Eaton, will be released nationally on June 11.



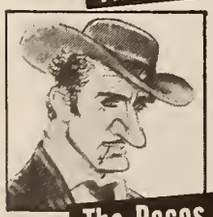
JUNE 8th IS DUDE'SDAY!

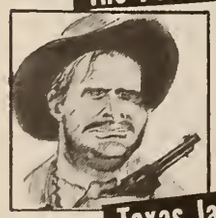
The DUDE

The GAL

Cactus Sam

Two-Gun Kiki


The Pecos Kid


Texas Jack

We're inviting all showmen to see how today's TICKET BUYERS enjoy the movie that reviewers hail as 1948's surprise smash!

"Pick of the pictures! Packed with laughs!" —*JIMMIE FIDLER*

"Most stimulating surprise in ready memory!" —*M.P. HERALD*

THEATRE PREVIEWS IN ALL KEY CITIES!

CITY	THEATRE
ALBANY	Delaware
ATLANTA *Preview June 9*	Paramount
BALTIMORE	Mayfair
BOSTON	Capitol
BUFFALO	20th Century
CHARLOTTE	Broadway
CHICAGO	To be announced
CINCINNATI	Grand
CLEVELAND	Hippodrome
DALLAS	Palace
DENVER *Preview June 7*	Paramount
DES MOINES	Paramount
DETROIT	United Artists
INDIANAPOLIS	Lyric
KANSAS CITY	Uptown
LOS ANGELES	El Rey
MEMPHIS	Warner
MILWAUKEE	Riverside
MINNEAPOLIS	State
NEW HAVEN	Dixwell
NEW YORK	RKO Colonial
OKLAHOMA CITY	Warners
OMAHA	Orpheum
PHILADELPHIA	Commodore
PITTSBURGH	Sheridan Sq.
PORTLAND	Orpheum
ST. LOUIS	Missouri
SALT LAKE CITY	Uptown
SAN FRANCISCO	Warfield
SEATTLE	Orpheum
TULSA	Ritz
WASHINGTON	Naylor

Please contact your Allied Artists Exchange for tickets

Reviews

"Marius"

(*Siritzky International—French, with English sub-titles*)

DIRECTED by Alexander Korda and written and produced by Marcel Pagnol, "Marius" still is a refreshing comedy-tragedy, despite the fact that it was produced in 1935.

It is a cleverly woven story which evolves around "Marius" (Pierre Fresnay) who forsakes "Fanny" (Orane Demazis) for the sea. However, it is Raimu as "Cesar," the father of the impulsive lad, who keeps the picture moving at its rapid pace. His earthy dialogue and actions are designed primarily for adult audiences, but are typical of those of a water-front barkeeper. Chronologically, this is part one of M. Pagnol's trilogy but its release follows "Fanny," which was concerned with her problems after "Marius" had gone to sea. "Cesar," still to come, will conclude the group.

Running time, 125 minutes. Adult audience classification. Current release.

"The Room Upstairs"

(*Lopert Films—French with English subtitles*)

MARLENE DIETRICH'S first French picture is a moody production which lacks story, good acting and good photography. Even art theatre patrons lured by the marquee attraction of La Dietrich and Jean Gabin, probably will be disappointed.

The story treats the somewhat ticklish topic of a woman with loose morals who, once she does fall in love and gives up a prospective rich, though degenerate husband, is misunderstood and dies by the hand of her former lover. It is all told within the framework of a trial. The Alcina Production was directed by Georges Lacombe.

Running time, 90 minutes. Adult audience classification. Current release.

Valley's First Drive-In

SEATTLE, May 31. — Plans for the construction of a $50,000 drive-in, first of its kind in Okahogan Valley were announced here. Arnold Varrelman, Mansfield theatre owner, and Guy Bishop will be co-owners of the drive-in, to be located at Omak.

Resigns Variety Post

MEMPHIS, May 31. — David Flexer, president of Flexer Theatres, has resigned as chief barker of the Memphis tent of the Variety Club because of business pressure. Flexer is taking over the 650-car Drive-In Theatre in Fort Smith, Ark.

M-G-M TRADE SHOW

"A DATE WITH JUDY"

New York-New Jersey Territories Only

★

MONDAY

JUNE 14th ★ 8:30 P.M.

★

LOEW'S 72nd ST. Theatre

72nd STREET and THIRD AVENUE, N. Y. C.

Norwegians Drive For Tax Reduction

WASHINGTON, May 31.—Norwegian exhibitors are using declining earnings as a powerful argument in their campaign to remove the 40 per cent luxury tax on box-office receipts for foreign films, including Hollywood's, according to a Commerce Department report.

In a letter to the Ministry of Finance, the National Association of Municipal Theatre Operators pointed out that theatre earnings were off about 11 per cent. In Oslo, receipts were off 12.6 per cent, in Trondheim, 27.3 per cent, and in Bergen, 9 per cent. Theatres in rural districts are reported to be in even worse shape.

Philippine Theatre Attendance Off 65%; Manila's Is Down 50%

WASHINGTON, May 31.—Attendance in Manila is off 50 per cent and in the rest of the Philippines it is off up to 65 per cent, a Commerce Department report states.

The report, prepared by motion picture consultant Nathan D. Golden, says U. S. films are affected, but that the chief reason behind the box-office slump is "awakening of consumer resistance to current domestic productions."

Golden says that some industry officials consider the present situation "more of a return to normal than a crisis." During the immediate post-war era, he says, there was a war-accumulated thirst for films, plus a shortage of other goods. Any film went over then. Now, with other goods coming on the market and the war-thirst for films, assuaged, poorer productions are having a harder time, and many independents may be eliminated.

U. S. Companies in Bolivia Not Affected Much by Exchange Cut

WASHINGTON, May 31.—U. S. film firms will not be very much affected by Bolivian action reducing by about 36 per cent the monthly allotment of exchange for importing motion pictures, a Commerce Department report predicts.

The report says that the largest importer of U. S. films has retained its previous exchange quota, while the largest reduction has been taken by two importers which bring in only a few Hollywood productions.

U. S. films account for about 68 per cent of the 436 feature films which Bolivia needs each year, the report estimates. Mexico furnishes about 17 per cent and Argentina about 13 per cent.

Production in India Sets a New Record, with 195 Made in a Year

WASHINGTON, May 31. — India's domestic film production set a new record in 1947, the Commerce Department reports, citing trade sources in India to the effect that 195 features were turned out, compared with 156 in 1946.

Despite record production, however, the report states, 1947 was "a year of continued depression and uncertainty." The Department feels the communal rioting "considerably affected the earnings of the industry, and demobilization of the armed forces also told heavily on box-office collections."

Of 449 features reviewed by the Bombay Board of Censors in 1947, the Commerce Department states, 225 were American.

US Firms May Pull Out of Argentina

Argentina is in a dubious state as a market for Hollywood product, with U. S. film company operations in that country becoming increasingly difficult under the weight of Argentinian restrictions, according to cabled reaching private sources here from Buenos Aires. U. S. company managers in Argentina, it is reported, are "extremely pessimistic" over the fact that new import permits have not been issued as promised some weeks ago when all import licenses were cancelled.

Major U. S. distributors are reported prepared to close their branches in Argentina. The explanation is that there will soon be no product, for even though the Argentine government decreed recently that foreign film distributors shall be permitted to import the numerical equivalent of only 25 per cent of their 1947 imports, the 25 per cent cannot be imported without permits.

The U. S. film companies have been unable to get remittances out of Argentina since last August, and press dispatches from Buenos Aires strike a new depressing blow in the direction of whatever remittance prospects existed with the report that the Central Bank of Argentina has notified all other banks that they no longer have the right to remit dollars, Swiss francs or Swedish kroners for imports.

The belief exists among foreign managers here that the "delays" and restrictions imposed on U. S. film companies by Argentina are part of a "game" which that country is playing in its behind-the-scenes bid for Marshall Plan aid from the U. S. Another Argentinian move in this respect was to increase the dollar exchange to 5.50 from 4.05 pesos.

CHANGE IN DATE

SALT LAKE CITY

Trade Showing

of WALT DISNEY'S

Technicolor Musical Comedy

"MELODY TIME"

FRI., JUNE 18 AT 10:30 A. M.

STUDIO THEATRE

161 South Main Street

instead of June 14 as previously advertised

MITCHELL MAY, Jr. CO., INC.

INSURANCE

•

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York

510 W. 6th St., Los Angeles

From QUIGLEY PUBLISHING COMPANY, Rockefeller Center, New York

Press Release

The Quigley Publishing Company, New York and Hollywood, has announced a Silver Anniversary Number of Better Theatres, first publication concerned exclusively with the architecture and mechanics of motion picture exhibition. Published every four weeks as a section of the weekly Motion Picture Herald, Better Theatres will mark its 25th birthday in the issue of July 3rd, with "Parade of Progress" identifying the dominant editorial theme.

When Better Theatres was established in 1923, the motion picture industry was still intent upon the maturing arts of the silent screen, for which it had begun to build theatres that might obliterate a humble past of nickelodeons. Sound added its intricacies to the physical side of exhibition in 1928.

Today the 16,880 regularly operating motion picture theatres in the United States represent, in physical plant alone, an investment of around two billion dollars. It now takes, on an average, about $175,000 to build a theatre, and at least $28,000 to equip it, while approximately $75,000,000 a year are spent for replacements and operating supplies.

Development of this exhibition establishment has been "essentially a process of products," representing "the inventive genius and enterprise of many industries," it is pointed out in a brochure entitled "Invitation to a Parade," announcing the anniversary number.

For 20 years, Better Theatres has been edited by George Schutz, and Ray Gallo has been advertising manager since 1931.

1923
1948

Silver Anniversary Number of

Better Theatres

with your Motion Picture Herald of July 3rd

Trailers

COST LESS

and

SELL MORE

Than Any Other Form of Theatre Advertising!*

*"Trailers draw 31% of your Patrons" ...says Woman's Home Companion in authoritative 1947 Movie Survey!

NATIONAL Screen SERVICE
PRIZE BABY OF THE INDUSTRY

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

Vol. 63. NO. 106 NEW YORK, U.S.A., WEDNESDAY, JUNE 2, 1948 TEN CENTS

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MR. JOYCE O'HARA,
MOTION PICTURE ASSOC. OF AMERICA,
28 WEST 44TH ST., 21ST FL.
NEW YORK, N. Y.

Industry Sued By SWG to End 'Blacklists'

Injunction Is Sought Under Anti-Trust Laws

A suit for an injunction to stop an alleged conspiracy by the industry against the employment of persons suspected of being subversive was filed in U. S. District Court here yesterday in behalf of the Screen Writers Guild and a group of 30 writers.

Basis for the action is the resolution against the hiring of known Communists adopted by industry leaders at a New York meeting on November 25 following Washington hearings of the Un-American Activities Committee.

The suit was brought under the anti-trust laws on the theory that the "illegal conduct" of the defendants "occurred in commerce among the several states" and "had the effect, as was intended by them (the defend-

(Continued on page 6)

High Court Readies Three Mandates

WASHINGTON, June 1.—The Supreme Court's mandates in the Paramount, Schine and Griffith cases will probably be mailed out to the District Courts tomorrow, court officials said:

Justice Department attorneys said they would probably submit their proposed order in the Paramount case to the New York District Court some time next week. Defense attorneys have already been informally notified of the orders' contents, they said. They indicated it might be a little longer before they were ready to go ahead in the Schine and Griffith cases.

Balaban Cited for Aiding Goodwill

BOSTON, June 1.—Highlight of the 11th annual dinner of the Massachusetts Committee of Catholics, Protestants and Jews, to be held Thursday evening at the Hotel Statler will be the awarding of citations to distinguished Americans, including Barney Balaban, president of Paramount. The citations are for outstanding service in promoting good will.

Judge Abraham Pinanski, brother of San Pinanski of M. and P. Theatres, will be toastmaster at the dinner.

Holiday Rains Spur NY Grosses; 'Time,' 'Pirate' Stand Out

Rainy weather sent theatre grosses upward at Broadway's first-runs over the extended Decoration Day weekend. As a result, the current week promises improved business at those houses after several weeks of generally mild returns.

The rain was responsible also for good business at neighborhood houses and at legitimate stage theatres which, like first-run film houses, drew added patronage from among holiday celebrants who were kept away from beaches and other outdoor places of amusement by the inclement weather.

Business was singularly big at Radio City Music Hall where the second week of "The Pirate," together with a stage presentation, is expected to bring $145,000 on the basis of $112,500 for five days, including the holi-

(Continued on page 7)

U. A. Seeks Rights To 'Miss Blandish'

LONDON, June 1.—Negotiations for American distribution by United Artists of "No Orchids for Miss Blandish," the much-publicized gangster film produced by George Minter's Renown Pictures, are under way here.

European distribution rights to "No Orchids" were acquired for U.A. by Arthur W. Kelly, executive vice-president, during his recent visit here,

(Continued on page 3)

$1,345,327 Is RKO Net for Quarter

Net profit of Radio-Keith-Orpheum and subsidiaries for the first quarter of 1948 was $1,345,327 after taxes and all other charges, equivalent to approximately 34 cents per share on 3,899,914 shares of common stock outstanding, compared with a consolidated net of $2,270,683 for the first quarter of 1947, equivalent to approximately 58 cents per share on 3,899,912 shares.

BOT Excludes U. S. Members in Naming New Films Council

LONDON, June 1.—Americans are excluded from the new Cinematograph Films Council, whose membership was announced today by the British Board of Trade, despite traditional inclusion of U. S. industry executives among the council's distributor representatives. The exclusion has left U. S. distributors here very indignant. The new council's first meeting will be held June 10. Discussion will center around the quota percentages to be made operative in October.

Named to the council are the following: Earl of Drogheda (chairman), Mrs. Irene White, F. J. L. Hardie, Albert Palache, Sir Arnold Plant, all independent members; E.

(Continued on page 3)

Petition for a Clearer Schine Ruling Rejected

WASHINGTON, June 1.—The Supreme Court today turned down the Government's petition for clarification of its Schine case decision and appointment of a trustee to dispose immediately of five of 16 Schine theatres still unsold under a May 1942 consent order.

The court's action in denying the petition in effect says that the Buffalo District Court will make new findings and disposition plans on the five theatres along with all other Schine theatres. The Government had said that the original decision did not make plain whether the "further proceedings" ordered in the May decision applied to the theatres covered by the consent decree.

Schine had answered that there was no doubt that the high court meant to

(Continued on page 6)

Flood Sweeps Away Gamble Ore. House

Portland, Ore., June 1.—Ted R. Gamble's 1,000-seat Vanport Theatre in nearby Vanport was swept away by the flood waters which have almost completely buried that city of 18,500 population. Theatre patrons were warned only 10 minutes in advance of the onrushing flood and as a result no lives were lost, although the last person out had to "swim for it."

Damage to the Vanport was estimated at $100,000.

Commons Gets Text of Film Tax Agreement

Control Committee Seen Dominant; Talks Still On

LONDON, June 1.—As the text of the film tax agreement was laid on the House of Commons table today with a note that "discussions are proceeding on various points of interpretation in connection with this text and on the methods of giving effect to its provisions," American film executives here predicted stern government supervision of all operations under the agreement.

Their comments referred to repeated emphasis upon the wide jurisdiction over the agreement to be given to the control committee, which will be dominated by the Board of Trade and will reflect the government's viewpoint.

American executives also commented that much depends upon the outcome of the continuing talks on interpretation of the agreement. Many expressed apprehension that officials may devise even more arduous condi-

(Continued on page 3)

Rank Plans a New GB-Odeon Company

LONDON, June 1.—Although details of J. Arthur Rank's plans to pool the Gaumont-British and Odeon circuits have been closely guarded, it is learned that Rank wishes to form a new company, Circuit Management Association, Ltd., to manage the 555 theatres in the two groups.

Earnings from all of the theatres would go into a pool controlled by the new company and shared between them on a basis of their respective

(Continued on page 3)

Renegotiation of Blum Pact Begins

WASHINGTON, June 1.—Renegotiation of the Blum-Byrnes accord has begun in Paris, a reliable industry official said here today.

He expressed confidence that a settlement would be arrived at before the July 27 deadline.

It is now believed that the State Department will not make formal announcement of the beginning of negotiations, but allow the preliminary

(Continued on page 3)

Decision Before NCA Board on Monday

MINNEAPOLIS, June 1.—The board of directors of North Central Allied will meet here next Monday to discuss the Supreme Court decision in the New York equity case and to map plans to put into action national Allied's move to "police" the high court decision. NCA president Ben Berger and Stan Kane, executive secretary, will review the court decision.

Locally, an unnamed committee has already been appointed to "police" the decision and may report to the June 7 meeting.

Kane will leave for Wisconsin this week to visit members in the Western part of the state outlining the "policing" plan, and jurisdictional trade practices and legislation as divided between the Minneapolis and Milwaukee units. He will be accompanied by Harry Pierson, executive secretary of Wisconsin Allied.

Sullivan Will Report Monday at TOA Here

Gael Sullivan, who resigned as executive director of the Democratic national committee to take over the same position with Theatre Owners of America, has postponed his reporting at TOA headquarters here until next Monday. He was originally slated to report yesterday. Meanwhile, he will attend the United Theatre Owners of Illinois meeting tomorrow and Friday at LaSalle.

Sullivan replaces Robert W. Coyne as TOA executive director.

Percy Heiliger, 66 20th-Fox Attorney

Percy Heiliger, 66, attorney in the home office of 20th Century-Fox Film, died in his home in Ridgewood, N. J., on Sunday, after a lengthy illness.

Heiliger was born in New York. After several years in private practice he entered the law firm of Rogers and Rogers, and in 1920 became associated with Fox Film Corp. In his early years with the company he specialized in copyright law and later handled distribution problems. Surviving are the widow and two daughters.

Johnson of Ad Films Dies in New Orleans

W. (Bill) Johnson, president of Motion Picture Advertising Service, of New Orleans and New York, died suddenly on Monday in New Orleans. Funeral services will be held in that city this morning. Johnson was a pioneer in the motion picture advertising field.

Dame May Whitty

HOLLYWOOD, June 1.—Services for Dame May Whitty, who died Saturday at the age of 82, will be held tomorrow at Pierce Brothers Chapel in Beverly Hills. The remains will be sent to England where the character actress was born. Her daughter, Margaret Webster, Broadway producer, director and actress, is the sole survivor.

Personal Mention

EDWARD A. GOLDEN has returned to the Coast from New York.

•

BABE RUTH and WILLIAM BENDIX, who impersonates RUTH in Allied Artists' "The Babe Ruth Story," will be guests of honor at the Sportscasters' annual luncheon on June 14 at Al Schacht's restaurant here.

•

NORMAN H. MORAY, Warner short subjects sales manager, left here last night for a tour of the company's Western branch offices en route to the Coast.

•

MICKEY GROSS, former manager of the Orpheum, Denver, has returned to that town as city manager for Cinema Amusements and Drive-in Theatres.

•

J. HERBERT LEWIS, Warner executive; JOSEPH BUXTON, British circuit owner, and LOUELLA PARSONS are among passengers who will sail for Europe today on the *SS America*.

•

AL HORWITS, Universal-International Eastern publicity manager, and CHARLES SIMONELLI, Eastern exploitation manager, will be in Philadelphia today from New York.

•

TERRY TURNER, RKO Radio general exploitation and advertising manager, is due in Boston today from New York.

•

BUDD ROGERS, Realart vice-president, has returned to New York from a tour of Southern and Midwest exchanges.

•

E. T. GOMERSALL of Universal-International, returned to New York yesterday from Chicago.

•

NATE BLUMBERG, Universal president, has returned to the Coast from here.

•

RUSSELL HARDWICK of the Clovis Theatre, Clovis, Cal., is on a six-week cruise to South America.

•

THEODORE R. BLACK, Republic counsel, is in Havana from New York.

•

ORSON WELLES is in town from the Coast.

LOU LIFTON, Allied Artists-Monogram advertising-publicity director, is in town from the Coast.

•

STEVE BROIDY, Allied Artists-Monogram president; GEORGE D. BURROWS, executive vice-president and treasurer; SCOTT R. DUNLAP, executive assistant to BROIDY, and HAROLD MIRISCH, vice-president, have returned to Hollywood from Chicago.

•

SYDNEY H. EIGES, NBC vice-presi-president in charge of press, and MRS. EIGES have become parents of their second child, a son, born last week at the Lying-In Hospital, New York.

•

LEE GOLDSMITH, Universal-International office manager in Cleveland, is being transferred to Atlanta after a two-week vacation in Miami.

•

WILLIAM B. ZOELLNER, M-G-M short subjects sales head, is due back in New York on June 21 from a tour of exchanges.

•

E. W. MCCLELLAN, assistant chief of engineering of Westrex, has returned to New York from a round-the-world trip.

•

JOE L. BROWN, Allied Artists studio publicist, has left Hollywood on a tour of Eastern and Midwestern cities.

•

WALTER STEUVE, owner of the State, Ohio and Lyceum theatres in Findlay, O., and MRS. STEUVE have returned to that town from their honeymoon.

•

J. MYER SCHINE of the Schine circuit, is in town from Gloversville, N. Y.

•

JOHN J. HOULIHAN, Republic branch manager in Cleveland, spent the weekend holiday in St. Louis.

•

HARRY WALDERS, RKO Radio branch manager, has returned to Cleveland from Chicago.

•

JERRY SCHOLER, manager of Warners' Ohio Theatre in Sandusky, O., is hospitalized in Cleveland.

•

LEROY KENDIS of the Associated Circuit, Cleveland, has returned to his desk after a spinal operation.

Joseph Quits E-L Post

CHICAGO, June 1.—Irwin Joseph has resigned as Eagle-Lion sales manager here, effective this weekend, to operate the State Theatre in this city.

John Reardon, 74

HARTFORD, June 1.—John J. Reardon, 74, who retired from ownership of the Capitol Theatre, Milford, years ago after operating it 11 years, died at his Milford home.

John Tegu, Exhibitor

ST. JOHNSBURY, Vt.—Virus pneumonia has claimed the life of John Tegu, 79, who, with his son, Andrew, founded the Tegu Theatres.

RKO Defers Annual Stockholders' Meet

Change in the control of RKO has forced a postponement of the company's annual stockholders' meeting to a date still to be selected. The meeting was originally scheduled for today.

Lack of information on the nominees for the board under the new Howard Hughes regime has held up the preparation and mailing of proxy statements to stockholders.

New WB Omaha Building

OMAHA, June 1.—Warner Brothers will open a new $200,000 exchange building here this month.

Newsreel Parade

THE sinking of the warship U.S.S. Salt Lake City and Joe Louis and Joe Walcott training for their return bout mark newsreel highlights. National and international events as well as the lighter side of the news round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 44.—Navy sinks famed "A" bomb warship. Legislature meets in Nanking to elect president. Cardinal Spellman attends festival in Australia. New Swiss guards for the Pope are appointed. Father of the year. New-born bear cubs. National athletic meet, postponed 10 years because of war, is held in Shanghai. Joe Louis and Joe Walcott in training for heavyweight title bout.

NEWS OF THE DAY, No. 278.—Death at sea for famed warship. Gen. Eisenhower honors Drew Pearson. Princess Elizabeth visits Coventry. Vatican swears in new guards. Adelaide Hawley's lighter side of the news. Joe Louis and Joe Walcott get ready for big fight. Snappy ideas for sea-going vacationers.

PARAMOUNT NEWS, No. 81.—Taps for *U.S.S. Salt Lake City*. Father of the year. World premiere in Hollywood of "Emperor Waltz." News on the novel side: human fish, three cub bears.

UNIVERSAL NEWS, No. 148.—Famed warship goes to grave. Oil well drilled at sea off Louisiana. Eight die in British railway wreck. Bear cubs take first step. Drew Pearson—Father of '48. Lacrosse thrills sport fans in Baltimore. Joe Louis and Joe Walcott train for return match.

WARNER PATHE NEWS, No. 83.—*U.S.S. Salt Lake City* is sunk. Circus wedding. News fashions from Paris. Joe Louis and Joe Walcott train for match. Bear cubs learn facts. Paratroopers rescued in jungle.

Jack Stewart Quits

KANSAS CITY, June 1.—Jack Stewart has resigned as general manager of Allied of Kansas and Missouri, a post which he assumed last Feb. 15. Applicants are now being considered to succeed Stewart and one will be selected within 30 days.

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'Voice' Broadcasts Hit Hollywood Too

WASHINGTON, June 1.—Hollywood was disparaged in National Broadcasting's "Know North America" scripts broadcast to Latin America just as much as were some of the states of the Union, it was disclosed here today at two Congressional committee hearings investigating the "Voice of America" programs. Writer of the scripts on Hollywood was Rene Borgia who said he worked for 20th Century-Fox and other studios.

Typical of the script's references to Hollywood are the following excerpts: "How is Hollywood? The answer is rather difficult because there is nothing as indescribable as this marvelous city-asylum." . . . "Hollywood and its extension, Beverly Hills, is an architect's nightmare." . . . "Does Hollywood provide anything but film? Absolutely nothing!"

Jaffe a Law Firm Partner with Grant

William B. Jaffe yesterday entered a full partnership with Arnold Grant in the New York law firm of Weisman, Grant and Jaffe and will devote his activities to financing, tax and corporate work.

Jaffe is a well known film and theatrical attorney who was formely general counsel to Columbia and now represents Monogram legally in the East. Also, he was chairman of the Manning Plan which dealt with deferment induction of skilled labor in New York State during the war and was legal advisor to the War Manpower Commission for New York State.

Murphy of Airlines, Gerald Mayer's Aide

WASHINGTON, June 1.—United Airlines executive James L. Murphy has been named special assistant to Motion Picture Association of America international chief Gerald Mayer, and will work in London on British tax problems, the MPAA announced today.

Murphy will leave for London after about two months indoctrination in New York. A resident of San Francisco, Murphy was in charge of United's West Coast operations and later was assistant to United President William Patterson.

Lunch With Beale

WASHINGTON, June 1.—Motion Picture Association of America international chief Gerald Mayer and other top MPAA officials had lunch here today with the State Department's new film adviser, Wilson T. M. Beale. Discussion of the industry's foreign problems was very general, one official said. Others at the luncheon were Joyce O'Hara, Edward Cheyfitz, Kenneth Clark and Manning Claggett.

Boris Morros Plans

LONDON, June 1.—Boris Morros is the latest American arrival here with European production plans. Morros wants to make pictures not only here but in Scandinavia and other European countries.

Canada Limits Recorders

OTTAWA, June 1.—As part of its United States dollar-saving program, the Canadian government has brought sound recorders under import control, effective June 5.

Theatre Quota in French Indo-China

Washington, June 1. — French Indo-China now requires theatres to show French films for at least four weeks out of each 13, according to a Commerce Department report. Another ruling requires all distributors to be approved by the government. Also, U. S. firms will now have to operate through French representatives.

The government has tentatively set aside $100,000 for U. S. film imports this year. The plan must still be approved by Paris.

Sweeping Probe of N. Zealand Industry

By R. A. USMAR

WELLINGTON, N. Z., May 26 (By Airmail).—The government's inquiry into the film industry has taken definite shape. The Parliamentary Committee, which is to conduct the inquiry, has decided to investigate the following:

Whether existing monopoly conditions in exhibition are compatible with public interest and whether any legislative action is needed to limit or regulate these conditions; whether control of theatres should be kept in the hands of New Zealand or British nationals; whether a system of restrictive licensing of theatres should be continued; whether the exhibition of sub-standard films should be controlled; whether the existing conditions of supply of films to independent exhibitors are reasonable; whether existing admissions are reasonable; whether the amount or form of taxation is reasonable, and whether it is in the national interest to foster production in New Zealand.

New Serkowich Firm Handling U-I Film

The recently organized firm of Benjamin H. Serkowich has been engaged by Universal-International to handle a special promotion campaign for the Monty Shaff-Frank Rosenberg production, "Man Eater of Kumaon," it was announced here yesterday by Maurice A. Bergman, U-I Eastern advertising-publicity director.

Serkowich was most recently advertising, publicity and exploitation director of Columbia Pictures.

Loew's to Release McGraw-Hill Films

Arthur M. Loew, president of Loew's International, has concluded an agreement with McGraw-Hill under which educational films produced by McGraw-Hill will be distributed by M-G-M in all countries of the world outside the United States and Canada.

Okays Tax-Free Tickets

WASHINGTON, June 1.—The Senate today passed a bill to permit tax-free tickets given to hospitalized servicemen and hospitalized veterans. Measure is slightly different from a similar bill that the House passed, and therefore must go back to the House for approval.

Press for Ticket Tax Relief in UK

LONDON, June 1.—Exhibitors here are hopeful of some admission tax relief following a joint exhibitor-distributor-films' union delegation meeting with Sir Stafford Cripps, Chancellor of the Exchequer, on the subject.

Sir Stafford would not commit himself to the deputation but did ask that officers of the Cinematograph Exhibitors Association enter into discussions with his financial advisers on a long-term policy for readjustment of the admission tax. Exhibitors hope that some measure of relief may materialize this week in the course of the House of Commons committee consideration of the Finance Bill.

Sir Alexander King has been a prime mover in the campaign for tax relief and was a member of the delegation which called upon Cripps.

Rank Plans

(*Continued from page* 1)

earnings over the last three years. The split will be made on a basis of 57 per cent to Odeon and 43 per cent to G-B.

Rank has emphasized that the plan is not a merger but a pooling operation designed to streamline the two circuit operations and thereby effect desired economies. Details of the plan have been sent to the Kinematograph Renters Society, asking KRS approval thereof. No action has been taken. American members of KRS feel it is up to Harold Wilson, president of the Board of Trade, to approve or disapprove it.

Independent exhibitors are apprehensive over possible effects on them of the new booking system involved, while American distributors feel it may result in reduced playing time for their pictures or less favorable terms from the pooled operations. United Artists has a large interest in Odeon, and 20th Century-Fox in G-B.

U. A. Seeks Rights

(*Continued from page* 1)

along with two other gangster subjects, "I'm a Fugitive" and "Brighton Rock," both made by Associated British.

Kelly reserved space at Alfred Shipman's Riverside Studio, starting August 1, for U.A.'s British production program. Probable first subject will be "Dick Turpin," a story of Britain's legendary highwayman. A script has been prepared in Hollywood, but the present intention is to assign an English director to the film. Earlier reports that U.A. might be prevented from proceeding with its production plans here proved groundless.

BOT Excludes

(*Continued from page* 1)

H. Anstey, A. Havelock Allan, Sir Alexander Korda, J. Arthur Rank, representing producers; Major R. P. Baker and Sir Arthur W. Jarratt (latter replaces Columbia's J. Friedman), representing distributors; Cecil Bernstein, E. J. Hinge, Sir Alexander B. King, C. P. Metcalfe, Sir Philip Warter all representing exhibitors; G. H. Elvin, Percy Pilgrim, W. G. Stevens, and Tom O'Brien, representing trade unions. Two more independent members will be named momentarily to complete the list.

Commons Gets

(*Continued from page* 1)

tions than those now contained in the agreement.

The government said that "as agreement is reached on these points (interpretation and implementation) it will be recorded in a schedule of interpretations attached to this agreement."

Await Interpretation Schedule

Government spokesmen admit that the whole tendency and force of the agreement depends upon the interpretation schedule and it is not known when this will be available in view of the extremely involved talks now in progress. F. W. Allport, Motion Picture Association of America representative here, declares that the talks are concerned with technicalities only. Though still uncertain, he hopes the talks will be finalized by June 14, when the agreement is scheduled to become operative.

Text of the agreement as placed before Commons today follows generally the versions of the agreement previously published in America but with some important textual differences. Clause Eight, concerning permitted uses of blocked funds relative to taxes, does not appear in the official text. Also, published references to "subject to the approval of the Board of Trade and Treasury" has been amended to read "subject to the approval of the Control Committee."

The government attaches importance to that change, indicating that the committee virtually will control all American activities here under the agreement.

In addition, the official text contains no reference to the previously published Clause 27, relating to payments to promote merchandise exports, etc.

Cite Non-Industry Uses

The official text includes Schedules B and C. The former embraces permitted uses of blocked funds outside of normal operations in the film industry, citing the acquisition of real estate or activities designed to foster tourist travel in Britain. The latter provides for temporary investment, subject to the Control Committee, in government or other securities provided the investments do not constitute permanent use or disposal of funds.

A government spokesman points out that the principles of the text emphasize particularly that expenditures shall not create additional pressure on British exchange; that none of the permitted uses goes beyond the limits of fair competition, and that no disposable balance may be used in any way that would damage Britain's productive economy. The government's pledge to extend all cooperation within the framework of these principles is contained in the text.

Blum Pact

(*Continued from page* 1)

talks to slide into final conferences unnoticed, and merely announce the final settlement. The French Ministry of Commerce and Industry's M. Lacoste made a similar statement recently in the French Chamber, when he announced it was "not customary" to divulge the detailed progress of international negotiations.

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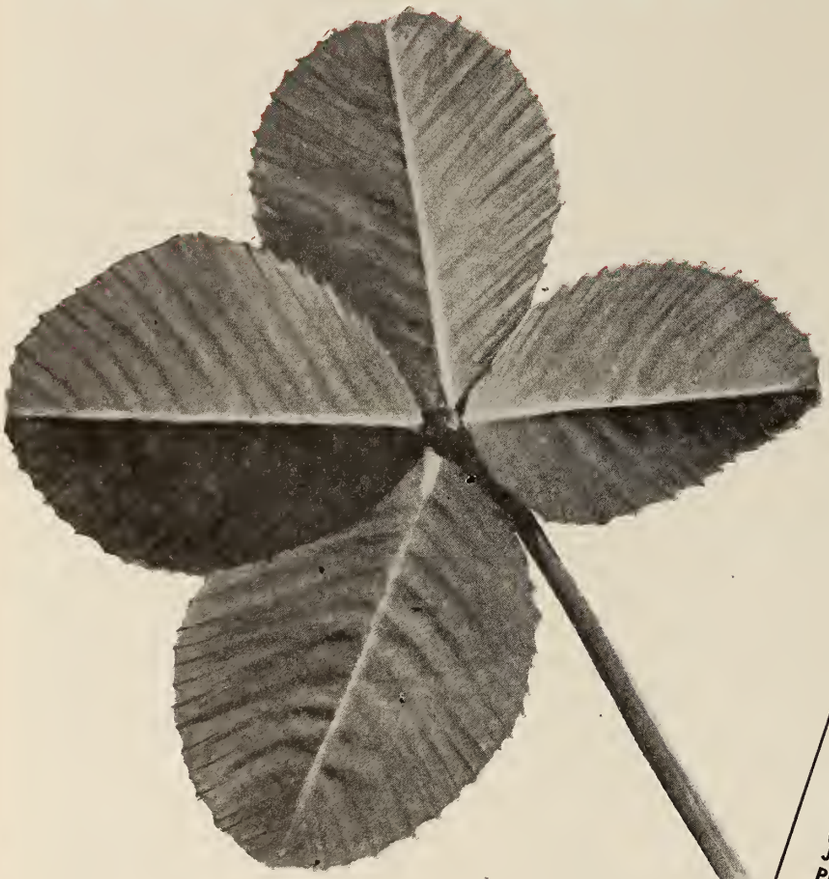

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APRIL 29
SPENCER TRACY
KATHARINE HEPBURN
VAN JOHNSON
Angela Lansbury
Adolphe Menjou, Lewis Stone
in FRANK CAPRA's
"STATE OF THE UNION."

MAY 20
"SUMMER HOLIDAY"
(Technicolor).
MICKEY ROONEY
GLORIA DeHAVEN
Walter Huston, Frank Morgan
Butch Jenkins, Marilyn Maxwell
Agnes Moorehead, Selena Royle.

MAY 27
CLARK GABLE
LANA TURNER
Anne Baxter, John Hodiak
in "HOMECOMING"
Ray Collins, Gladys Cooper,
Cameron Mitchell.

JUNE 3
"BIG CITY"
Margaret O'Brien
Robert Preston, Danny Thomas
George Murphy, Karin Booth
Edward Arnold, Butch Jenkins
Betty Garrett, Lotte Lehmann.

JUNE 10
JUDY GARLAND, GENE KELLY in
"THE PIRATE" (Technicolor).
Walter Slezak, Gladys Cooper
Reginald Owen.

JUNE 24
"ON AN ISLAND WITH YOU"
(Technicolor).
ESTHER WILLIAMS, PETER LAWFORD
RICARDO MONTALBAN
JIMMY DURANTE, CYD CHARISSE
XAVIER CUGAT.

JULY 8
IRVING BERLIN's
"EASTER PARADE"
(Technicolor). Starring
JUDY GARLAND, FRED ASTAIRE
PETER LAWFORD, ANN MILLER.

JULY 29
"A DATE WITH JUDY"
(Technicolor).
WALLACE BEERY, JANE POWELL
ELIZABETH TAYLOR
CARMEN MIRANDA, XAVIER CUGAT
ROBERT STACK.

AUGUST 5
GREER GARSON
WALTER PIDGEON in
"JULIA MISBEHAVES"
PETER LAWFORD, ELIZABETH TAYLOR
CESAR ROMERO, Lucile Watson
Nigel Bruce, Mary Boland
Reginald Owen.

AUGUST 12
RED SKELTON, BRIAN DONLEVY
in "A SOUTHERN YANKEE"
Arlene Dahl, George Coulouris
Lloyd Gough, John Ireland
Minor Watson.

SEPTEMBER
"THE THREE MUSKETEERS"
(Technicolor).
LANA TURNER, GENE KELLY
JUNE ALLYSON, VAN HEFLIN
ANGELA LANSBURY,
Frank Morgan, Vincent Price
Keenan Wynn, John Sutton
Gig Young.

That Pep-up Line-up! It's so good for everybody!

FLASH

LUCKY!
about "THE PIRATE"

Following Frank Capra's joyous "State of the Union" at Radio City Music Hall, "The Pirate" is Big in 3rd week! (new M-G-M record for first 4 days of opening week!) Second big week in Montreal!

LUCKY!
about "HOMECOMING"

Blazing across the nation. Sensational everywhere. Following five record weeks at Capitol, N. Y., tremendous in Trenton, fabulous in Philly, it's generating steam in every opening!

LUCKY!
about "EASTER PARADE"

You hear it everywhere. Irving Berlin's "Easter Parade" is the greatest musical in screen history. Get a load of those trade paper reviews. They spell M-O-N-E-Y!

LUCKY ABOUT "JULIA MISBEHAVES!"

(*Read this telegram*) "Audience reaction at sneak preview of 'Julia Misbehaves' assures another smash hit to add to Vitamin M-G-M's Spring and Summer line-up! Rousing applause for reunion of Greer Garson and Walter Pidgeon. Hilarious comedy situations had audience howling from first scene to last with tremendous burst of applause at end. Movie-goers want comedy and this had them rolling in aisles. Great cast also includes Peter Lawford, Elizabeth Taylor, Cesar Romero. Director Jack Conway, Producer Robert Riskin, have turned out a gold-mine attraction!"

EVERY NEW PREVIEW IS A NEW M·G·M HIT!

Oh Greer! You're going to take the fans by storm!

EXTRA! "SUMMER HOLIDAY" CONTINUES TECHNICOLORIFIC BIZ IN ALL TEST CITIES!

NATCH! M-G-M GREAT IN '48!

St. Louis Has Power To Close Theatre

ST. LOUIS, June 1.—The Missouri Supreme Court has upheld the city's power to close the Robin Theatre for alleged violation of the new building code. The court granted injunctive relief to the Robin owners, Arthur F. D. Kalbfell and Marie K. Winderly, to bar the city from tearing down the theatre but upheld the lower courts' ruling that the city could close the house. "Regulating motion picture theatres for safety of the public," the court held, "is a valid exercise of police powers."

Four in New Orleans Area Change Hands

NEW ORLEANS, June 1.—Bob Conrad has assumed part ownership and management of the Bruce Theatre in Jennings, La.; the Star Theatre, Tylertown, Miss., which has been closed following its sale by J. V. Dampeer, has resumed operation under the new owner, H. Solomon; the White Hall, at White Hall, La., has a new owner and manager, Joseph A. Loupe, Jr.; the Castle, Pachuta, Miss., has been sold by A. M. Royal.

Delay Rivoli Rockne Hearing to July 1

CHICAGO, June 1.—Hearings in the Rivoli Rockne $900,000 anti-trust suit against the majors and circuits here, scheduled for today, were moved back until July 1 in Judge Sullivan's and Judge Igoe's U. S. District Courts. Plaintiff's attorney, Lloyd C. Root, was granted the additional time in which to reply to defendant's motion to strike out and clarify certain paragraphs.

High Prices Hurt Theatre Business

BOSTON, June 1.—Exhibitors in New England say that business in general is just fair and spotty. Patrons who used to attend a theatre once or twice a week are now attending only every other week. High prices for food and clothing are given as the main reasons for business being spotty.

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Directors Open Pact Talks with IMPPA

HOLLYWOOD, June 1.—Negotiations by talent guilds and unions here with the Independent Motion Picture Producers Association for contract revision or renewal have gotten under way with a meeting of Screen Directors Guild representatives and an IMPPA committee.

The Screen Actors Guild will appoint a negotiating committee tonight and other guilds and unions will follow suit.

Williamson Heads Variety in Memphis

MEMPHIS, June 1.—E. C. Williamson, manager of Warner Bros.' local branch, was elected chief barker of the Variety Club today to replace David Flexer of Flexer Theatres, Inc., who resigned.

Dinner for N. H. Zook

Marking his retirement after 15 years as building maintenance superintendent of Radio City Music Hall, N. Hayden Zook was honored at a farewell dinner given by G. S. Eyssell, Music Hall president and managing director, in the theatre's studio apartment last night. Zook, who is 65, plans to reside in Los Angeles with his wife and a daughter.

Chinich Joins Northio

CINCINNATI, June 1.—Jesse Chinich, formerly film buyer-booker for Intermountain Theatres, Salt Lake, has been appointed to a similar post with Northio Theatres here, controlling 18 houses in Ohio and nearby territory. He succeeds William Borack, who resigned to join Cooperative Theatres in Pittsburgh.

Remodel in New Haven

HARTFORD, June 1. — The Crown Realty Corp. has started remodeling the Adley Building on Crown St., New Haven, into a 450-seat theatre, Operation should start in the fall. Maurice Bailey, theatreman, is among those in the firm.

Another Telenews House

CHICAGO, June 1.—Plans are underway for construction of a 500-seat Telenews theatre to cost over $200,000, on North Rush Street, outside of the Loop, to be operated by Herbert Scheftel and Alfred G. Byrger.

Remodeling Coast House

QUINCY, Cal., June 1.—Remodeling plans for the Town Hall Theatre have been completed by architect Huhrt Goodpaster of Sacramento, and

Frouge to Build Two

HARTFORD, June 1.—The Board of Building Commissioners has granted the Frouge Construction Co., Bridgeport, authority to construct two new theatres in that city.

Schine Ruling

(*Continued from page* 1)

include the five theatres in the further District Court proceedings.

There was no opinion rendered on the subject today—the denial of the petition for clarification merely being listed in the court's orders, issued at the close of today's decision session. Justices Murphy and Jackson did not participate in considering or deciding on the Government's application.

SWG Suit

(*Continued from page* 1)

ants), of restraining trade and commerce, and of imposing burdens upon trade and commerce, among the several states."

Named as defendants are the Motion Picture Association of America, the Association of Motion Picture Producers, the Society of Independent Motion Picture Producers, Paramount, Loew's, RKO, Warner Bros., 20th-Fox, Columbia, Universal and Eric Johnston, MPAA president.

30 Plaintiffs in Suit

Listed as plaintiffs are Sheridan Gibney, Robert Ardrey, Art Arthur, Claude Binyon, Charles Brackett, Frank Cavett, Valentine Davies, Richard English, Everett Freeman, Paul Gangelin, Albert Hackett, F. Hugh Herbert, Milton Krims, Arthur Kober, Ernest Pascal, George Seaton, Arthur Sheekman, Leonard Spigelglass, Dwight Taylor, Harry Tugend, all members of the SWG board, and the following members of the council of the Authors League of America: Oscar Hammerstein, II, John Hersey, Russel Crouse, Moss Hart, Christopher La Farge, Howard Lindsay, Richard Rodgers, Rex Stout, John Vandercook and Glenway Wescott. The complaint makes it clear that the plaintiffs in the action do not represent the 10 indicted for contempt of Congress for refusing to tell the Un-American Activities Committee whether or not they were Communists.

The complaint terms the defendants a "combination" guilty of formulating "a code which purports to govern the political views and associations of persons engaged in the production of motion pictures."

Hit 'Vague, Indefinite Standards'

"That code," the complaint adds, "imperils and threatens to destroy the free market for original and creative work and thus irreparably damages and threatens to damage the plaintiffs. . . . It infringes and endangers their civil liberties by setting up vague and indefinite standards of social and political affiliation, which are to be enforced by concerted action of all defendants. It establishes for the motion picture industry the un-American principle of guilt by association. The judgments of this combination are carried out by the combined action of its members sitting as a quasi-court which threatens to deny to any offending writer an opportunity to write for the screen."

It is charged that by acting in concert the defendants "are able to exercise a domination over every writer employed in the production of motion pictures as well as over every writer who desires to enter this field," that as a "combination" they possess "power to dictate what the American people shall see and what they shall not see in almost all the motion picture theatres throughout the nation," and that as a group they have "effective power to make the industry they control an instrument for any line of propaganda which at any time seems to them desirable."

Allege Conspiracy to 'Appease'

The purpose of the alleged conspiracy is said to be "to form a combination of all the producers in the industry to the end that by joint action the entire industry can immediately respond to and appease any wave of hysteria directed at the screen, by offering to blacklist screen writers and other employes who happen to be temporary victims of that hysteria."

According to the plaintiffs, if the conspiracy charged against the defendants is allowed to continue it will have the effect of "imposing a paralyzing censorship upon dramatic writing for the screen."

The November meeting in New York is referred to as a scheme on the part of the defendants "to perfect an illegal private government and to establish a private and unlawful judicial system for the industry."

The complaint also charges that under the policy enunciated by Johnston on November 25 screen writers are compelled to work in a state of "fear and uncertainty," while "the uncertain standards of censorship, based as they are upon the desire to placate intolerant or prejudiced groups, will, if continued, reduce all pictures to a common level." This policy, according to the plaintiffs, will do "irreparable injury" to the public as well as to the Guild and its members.

Production Code Reference

A section of the complaint makes a disparaging reference to the Production Code, but the request for relief lists no action to be taken with respect to the Code. The code is represented as catering to "the prejudices of local groups on matters involving sex, race and other subjects which might arouse sectional, local or group criticism." The complaint adds that "the result of such censorship is to prevent the frank and intelligent treatment of any serious subject which may arouse controversy or incur the attack of any intolerant or prudish organization strong enough to cause unfavorable publicity."

No damages are sought—merely injunctive relief against the "combination" and "conspiracy." The suit seeks to discover what procedure the defendants propose to use in finding writers guilty of violating the policy governing the employment of suspected subversives and what opportunities for defense will be made available to accused writers.

The case was prepared by Thurman Arnold, counsel for the SWG.

THE BANK OF THE MOTION PICTURE INDUSTRY

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Estimates of Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

Strong crop of new films lifted grosses to a higher level than in many previous weeks. Holiday weekend attendance was good. Weather was perfect. Estimated receipts for the week ending June 3:

DEAR MURDERER (U-I)—GRAND (1,150) (67c-98c). Gross: $12,000. (Average: $13,500)
DUEL IN THE SUN (SRO)—ROOSEVELT (1,500) (98c). Gross: $23,000. (Average: $20,000)
HATTER'S CASTLE (Para.)—APOLLO (1,200) (98c). Gross: $15,000. (Average: $17,000)
HAZARD (Para.)—UNITED ARTISTS (1,700) (98c) 5 days, 2nd week. **THE BRIDE GOES WILD (M-G-M)**, 2 days. Gross: $17,000. (Average: $21,500)
HOMECOMING (M-G-M)—ORIENTAL (3,300) (98c). On stage, Louis Jordan. Gross: $60,000. (Average: $40,000)
MAN FROM TEXAS (E-L) and RETURN OF RIN TIN TIN (PRC)—GARRICK (1,000) (44c-60c-80c-85c). Gross: $10,000. (Average: $10,000)
THE MIRACLE OF THE BELLS (RKO Radio)—PALACE (2,500) (67c-98c). Gross: $30,000. (Average: $25,000)
THS "SAINTED" SISTERS (Para.)—STATE LAKE (2,700) (98c). On stage, Jane Powell. Gross: $36,000. (Average: $35,000)
THE SEARCH (M-G-M)—MONROE (953) (50c-70c-95c). Gross: $12,000. (Average: $12,000)
SILVER RIVER (WB)—CHICAGO (3,900) (98c). Gross: $40,000. (Average: $37,000)
STATE OF THE UNION (M-G-M)—WOODS (1,080) (98c) 4th week. Gross: $18,500. (Average: $23,000)

ATLANTA

Business this week is just about average. Weather is hot. Estimated receipts for the week ending June 2:

ARCH OF TRIUMPH (U-A)—LOEW'S GRAND (2,446) (12c-65c). Gross: $13,500. (Average: $14,000)
FORT APACHE (RKO Radio)—FOX (4,446) (12c-50c). Gross: $13,775. (Average: $14,000)
I REMEMBER MAMA (RKO Radio)—ROXY (2nd week on a moreover from the FOX (2,446) (12c-50c). Gross: $6,000. (Average: $5,800)
THE "SAINTED" SISTERS (Para.)—PARAMOUNT (2,346) (12c-50c). Gross: $6,000. (Average: $5,900)

CINCINNATI

The extended weekend holiday helped business in the majority of houses, with Vaughn Monroe and his orchestra on the RKO Albee stage, plus "The Hunted" on the screen, zooming to one of the highest figures at this house in some time. Weather is warm. Estimated receipts for the week ended June 1:

FORT APACHE (RKO Radio)—LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 7 days, 3rd week, following an opening week at the Albee and a first moveover week at the Lyric. Gross: $5,500. (Average: $5,000)
THE FULLER BRUSH MAN (Col.)—RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 7 days, 2nd week, on a moveover from the Albee. Gross: $7,500. (Average: $5,000)
GREEN GRASS OF WYOMING (20th-Fox)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c) 7 days. Personal appearance of Charles Coburn, Peggy Cummins and Martha Stewart on the opening day. Gross: $11,500. (Average: $15,000)
HOMECOMING (M-G-M)—RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $18,000. (Average: $10,000)
THE HUNTED (AA)—RKO ALBEE (3,300) (55c-95c) 7 days. On stage, Vaughn Monroe and orchestra. Gross: $35,000. (Average: $30,000)
LETTER FROM AN UNKNOWN WOMAN (U-I)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 7 days. Gross: $8,600. (Average: $7,500)
SUMMER HOLIDAY (M-G-M)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $7,500. (Average: $8,000)

BOSTON

Weekend weather opened up warm with temperatures in the upper 70s. They cooled off over Sunday and Memorial Day. This accounts for grosses to be rather steady. Night baseball games hit a bit. Estimated receipts for the week ending June 2:

BRIDE GOES WILD (M-G-M) and PORT SAID (Col.)—STATE (3,500) (40c to 80c). Gross: $18,000. (Average: $12,000)
BRIDE GOES WILD (M-G-M) and PORT SAID (Col.)—ORPHEUM (3,500) (40c to 80c). (Gross: $30,000. (Average: $27,000)
FORT APACHE (RKO Radio) and BLONDE ICE (FC)—RKO BOSTON (40c to 80c). Gross: $16,000. (No average on account of summer schedule)
HATTERS CASTLE (Para.) and WATERFRONT AT MIDNIGHT (Para.)—PARAMOUNT (1,700) (40c to 80c). Gross: $17,500. (Average: $17,000)
HATTERS CASTLE (Para.) and WATERFRONT AT MIDNIGHT (Para.)—PARAMOUNT (1,373) (40c to 80c). Gross: $11,000. (Average: $10,000)
LETTER FROM AN UNKNOWN WOMAN (U-I) and MONEY MADNESS (FC)—RKO MEMORIAL (3,000) (40c to 80c) 5 days of 2nd week. Gross: $14,500. (Average: $22,000)
PARADINE CASE (SRO)—ESQUIRE (1,000 (90c to $1.25) 3rd week. Gross: $10,000. (No average)
SIGN OF THE RAM (Col.) and HEART OF VIRGINIA (Rep.)—ASTOR (1,300 (44c to 80c). Gross: $7,500. (No average)
SILVER RIVER (WB) and 13 LEAD SOLDIERS (20th-Fox)—METROPOLITAN (4,367) (40c to 80c). Gross: $29,750. (Average: $27,000)
FANNY (Siritzky-Int.)—EXETER (1,300) (45c-75c). Gross: $2,000. (Average: $5,000

BALTIMORE

The holiday weekend helped boost business, after average openings for new attractions. Best grosses are from "Homecoming" and "Silver River." Estimated receipts for the week ending June 3:

BERLIN EXPRESS (RKO Radio)—TOWN (1,450) (29c-37c-56c). Gross: $12,000. (Average: $10,500)
FRENCH LEAVE (Mono.)—HIPPODROME (2,205) (29c-37c-50c-58c) With a stage show. Gross: $18,750. (Average: $17,000)
GREEN GRASS OF WYOMING (20th-Fox)—NEW (1,800) (29c-40c-50c-58c). Gross: $12,000. (Averave: $11,750)
HAZARD (Para.)—KEITH'S (2,406) (25c-37c-44c-54c and 56c weekends). Gross: $10,500. (Average: $12,000).
HOMECOMING (M-G-M)—CENTURY (3,000) (29c-37c-45c-54c and 56c weekends). Gross: $20,000. (Average: $14,500)
I'VE ALWAYS LOVED YOU (Rep.-Reissue)—MAYFAIR (1,000) (21c-29c-54c). Gross: $4,500. (Average: $5,000)
MAN ABOUT TOWN (RKO Radio)—LITTLE (328) (29c-37c-56c). Gross: $3,500. (Average: $3,000)
SILVER RIVER (WB)—STANLEY (3,280) (29c-37c-50c-58c). Gross: $17,000. (Average: $14,500)
SUMMER HOLIDAY (M-G-M)—VALENCIA (1,466) (29c-37c-45c-54c and 56c weekends) 2nd week. Gross: $6,500. (Average: $5,000)

TORONTO

Five of 10 first-runs held over their programs for either a second or third week in spite of a warm wave. Outdoor activities, including horse racing and baseball, were making a difference to theatre patronage. Estimated receipts for the week ending June 3:

CALL NORTHSIDE 777 (20th-Fox)—NORTOWN (950) (20c-42c-60c) 6 days, 2nd week. Gross: $6,000. (Average: $6,500)
CALL NORTHSIDE 777 (20th-Fox)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days, 2nd week. Gross: $5,800. (Average: $6,300)
I REMEMBER MAMA (RKO Radio)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days, 3rd week. Gross: $6,400. (Average: $7,400)
I REMEMBER MAMA (RKO Radio)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days, 3rd week. Gross: $8,200. (Average: $9,200)
LETTER FROM AN UNKNOWN WOMAN (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-80c) 6 days. Gross: $11,600. (Average: $11,600)
THE SAINTED SISTERS (Para.)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $17,400. (Average: $14,900)
SHOE SHINE (Alliance)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days. Gross: $6,300. (Average: $6,500)
SHOE SHINE (Alliance)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days. Gross: $5,300. (Average: $5,500)
STATE OF THE UNION (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days. 2nd week. Gross: $13,700. (Average: $14,200)
TO THE ENDS OF THE EARTH (Col.)—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $16,100. (Average: $14,600)

Legion Classifies 7; 2 Films Rated 'B'

United Artists' "Red River" and Siritzky International's "They Are Not Angels" (French) were placed in Class B by the National Legion of Decency in its rating of seven pictures this week. UA's "The Time of Your Life" was classified A-II. Placed in A-I were: "Big Town Scandal," Paramount; "Carson City Raiders," Republic; "Melody Time," RKO Radio, and "Trapped by Boston Blackie," Columbia.

Coast 'Dream House' Opens on Thursday

One of the largest press parties in Hollywood history will be held Thursday afternoon, when the Los Angeles replica of the "Blandings Dream House" which appears in RKO-SRO's "Mr. Blandings Builds His Dream House," is formally previewed. All proceeds from its display will go to the Memorial Medical Center.

Cary Grant and Myrna Loy, two of the stars of "Mr. Blandings," will officially open the door of the house.

New York Grosses

(*Continued from page* 1)

day weekend. At the Mayfair, "The Time of Your Life" opened very impressively, and on the basis of $45,000 taken in for the first five days, a rotund $60,000, plus, is seen for the initial week.

"Homecoming," plus Xavier Cugat's band on stage, continues strong in its fifth and final week at the Capitol where $88,000 is expected for the last stanza; "The Bride Goes Wild" will bow in tomorrow. "Hazard" opened at the Paramount today, replacing "The Sainted Sisters" which, together with Henny Youngman on stage, brought a satisfactory $60,000 for a second and final week. At the Bijou, "Citizen Saint" had a better-than-average opening, with $11,000 seen for the first week.

The following are grossing in the fair-to-good range: "Melody Time," Astor, first week, $46,000; "Up in Central Park," Criterion, first week, $27,000; "The Noose Hangs High," Loew's State, first week, $22,500; "Arch of Triumph," Globe, sixth week, $17,500; "Will It Happen Again," Rialto, third week, $9,000; "The Iron Curtain," plus Ed Sullivan's revue on stage, Roxy, third week, $85,000; "Silver River," with Eddie Duchin's band on stage, Strand, second week, $57,000; "Berlin Express," Victoria, second week, $17,500.

Producing lesser grosses are: "Another Part of the Forest," Rivoli, second week $18,500; "River Lady," Winter Garden, second week, $11,000; "Showtime," Park Avenue, second and final week, $5,600. "Challenge" will take over at the Park Avenue today.

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your audience will love...
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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 107 NEW YORK, U.S.A., THURSDAY, JUNE 3, 1948 TEN CENTS

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JOYCE O'HARA MOTION PICTURE DAILY, 1501 BROADWAY, NEW YORK 10, N.Y.

Film Salesmen Are Named In Trust Suit

2 Named Allegedly Run Houses Given Preference

WASHINGTON, June 2. — Film salesmen were named among defendants in an anti-trust action today when the Center Theatre, Centreville, Md., filed a $150,000 triple-damages and injunction suit in District court here.

The salesmen are Charles Wingfield of Columbia Pictures, and F. B. Klein of 20th-Fox, both of whom also operate theatres in Church Hill and Chestertown, Md. Other defendants are Paramount, 20th-Fox, RKO and Columbia.

The suit accuses the defendants of a conspiracy to grant the Klein and Wingfield houses a monopoly of first-run product. The plaintiff asserts that the two salesmen are assigned to cov-

(*Continued on page* 5)

Calumet Trust Case Settled by Majors

CHICAGO, June 2.—After nine months of litigation, the Calumet Theatre anti-trust suit against major circuits and distributors here has been dismissed by agreement of all parties. While the settlement was not disclosed, it is understood that the agreement will result in a substantially improved playing position for the plaintiff theatre, which was represented by attorney Seymour Simon. Defendants were represented by attorneys Miles Seeley, Vincent O'Brien and Edward Johnston.

U-I Opens Sales Meeting Here Today

First of two meetings of district managers to formulate plans on pictures for release in connection with the company's "Presidential Sales Drive" will be held by Universal-International here today and tomorrow. The second conference will take place in Los Angeles later next week.

A. J. O'Keefe, U-I assistant general sales manager, and E. T. Gomersall, assistant to general sales manager William A. Scully, will preside at the New York meeting. Present from the

(*Continued on page* 5)

Employment Looking Better on the Coast

Hollywood, June 2.—Halting a steady decline which set in last September, studio employment rose in April to 79.5 per cent from March's 77.3 on the index maintained by the California Labor Statistics Bureau. Employment figure for April, 1947, was 101.1 per cent. Average weekly earnings in April was $96.69, up from March's $95.55.

Allied Meet Nov. 27-Dec. 1 in New Orleans

WASHINGTON, June 2. — Allied States Association will hold its 1948 convention at New Orleans on November 29-December 1, with Allied Gulf States president W. A. Prewitt, Jr., general convention chairman.

Allied's fall board meeting will be held immediately preceding the convention, on November 27-28.

Allied board chairman Abram F. Myers, in making the announcements, said that the convention had been awarded to New Orleans "in recognition of the splendid growth and progress of the Allied Theatre Owners of the Gulf States." The Gulf unit celebrated its first birthday yesterday with a party at the New Orleans Lakewood Country Club.

Maurice J. Artigues, secretary of Allied of the Gulf States, will assist Prewitt with convention arrangements, Myers said.

Yates, Keough, Cohn, Montague, Schneider In Stock Tradings

WASHINGTON, June 2.—Republic president Herbert J. Yates has bought 22,387 shares of Republic common, bringing his common holdings to 73,687 shares, and 12,895 shares of capital stock of affiliate Associated Motion Picture Industries, Inc., boosting his holdings in that firm to 20,885 shares, according to a Securities and Exchange Commission report on trading by corporate officers and directors.

Yates reported that in addition to his common holdings in Republic, he also owned 900 shares of its $1 cumulative preferred and $25,000 worth

(*Continued on page* 4)

Video News Slated For Rialto Here

Plans to incorporate daily local television news into the programming of the Rialto Theatre here have been made by owner James J. Mage. At present Mage and W. R. Hearst television principals are discussing "ways and means." Several years ago the Rialto conducted large screen television experiments. At that time the house was operated by Arthur L. Mayer from whom Mage recently purchased it.

Evelyn Lawson resigned yesterday as public relations director of Mage's theatre interests to devote full time to her own television and film public relations business. Concurrently the circuit became one of her accounts.

U. K. Press Renews Attacks On Film Tax Agreement

LONDON, June 2.—Publication of the film tax agreement was the signal for a new outbreak of savage press criticism here, rivaling that which followed announcement of conclusion of the agreement last March.

One newspaper, heading its comment "Wilson (Harold, president of the Board of Trade) Memorial to British Film Industry Officially Unveiled," said that while it is important to appreciate that independent exhibitors here who were threatened with extinction by the withdrawal of Hollywood films eagerly accepted the agreement, the feeling grows that American film traders avidly took advantage of a situation that apparently finds Britain a second-rate power now, and accordingly at the mercy of American prospectors.

The "sober" *Times* devotes its first editorial to a discussion of the agreement's purpose to restrict the dollar drain here and proceeds ironically to emphasize the 27 means by which Americans may utilize their unremittable balances. It concludes ruefully that "all the joint Control Committee can do is to try within the limits of its powers to prevent harm being done to legitimate British industries whether in or out of the film industry."

Most other newspapers protested Wilson's agreement as a means to sell out Britain's artistic integrity to Hollywood.

The admittedly jaundiced outlook of Lord Beaverbrook's *Daily Express* is reflected in its comment: "Let nobody have any doubt that under Wilson's

(*Continued on page* 4)

Two Mandates Are Issued by Supreme Court

Clear Way for Further Proceedings in Cases

WASHINGTON, June 2. — The Supreme Court's mandates, giving effect to its recent decisions in the Paramount and Schine cases, were dispatched from here yesterday to the New York and Buffalo Federal District courts.

With their receipts by those courts, probably tomorrow, the way will be cleared for further proceedings in the two cases.

The high court's mandate in the Griffith case was delayed by pressure of court work and did not go out today. Indications are that it will be issued tomorrow.

Next move in the Paramount case is likely to be the filing of the Government's motion for hearing of a proposed order based on the Supreme Court decision. Defendants have been

(*Continued on page* 5)

MGM Distribution For Enterprise Set

The long-anticipated deal whereby Enterprise will distribute world-wide through M-G-M has been closed. The contracts provide for four pictures, three of which are set, including "No Minor Vices" with Louis Jourdan, Dana Andrews and Lilli Palmer; "Tucker's People," which is in production with John Garfield, Margaret Pierson and Thomas Gomez, and "Wild Calendar," slated for production this month or next.

Enterprise's six-picture deal with UA on the domestic distribution side and Loew's International on the foreign washes up with "Tennessee's Partner," which Harry Sherman will launch in mid-September. Joel McCrea will star.

Britain Rejects '48 Ticket Tax Relief

LONDON, June 2.—Chances of relief from Britain's heavy admission taxes this year ended today as Glenville Hall, financial secretary of the Treasury, told the House of Commons during debate on the new finance bill that Chancellor of the Exchequer Sir

(*Continued on page* 4)

Personal Mention

ARTHUR W. KELLY, United Artists executive vice-president, and PAUL N. LAZARUS, JR., advertising-publicity director, are due back here from Hollywood over the weekend.

•

WILLIAM A. SCULLY, Universal-International vice-president and general sales manager, accompanied by JOHN C. WOOLF, joint managing director of General Film Distributors, London, are in Chicago from New York en route to Milwaukee and Kansas City on a tour of U-I exchanges.

•

WILLIAM HEINEMAN, Eagle-Lion distribution vice-president, and L. JACK SCHLAIFER, his assistant, will return here today from the Coast. MAX YOUNGSTEIN, advertising-publicity vice-president, returned to New York yesterday.

•

DAVID SKIRVERSKY, 20th Century-Fox booker and salesman in Boston, will leave for Europe July 9 on a six-months' leave of absence. BESSIE COHEN will fill the post during his absence.

•

HERMAN RIPPS, field assistant to M-G-M Eastern sales manager JOHN P. BYRNE, is due in New York today from Albany, and BOB LYNCH, Philadelphia district manager, is due here from that city.

•

ELKAN REINER, Warner home office executive, and MRS. REINER have become the parents of a daughter, SUSAN WYNNE, born at Yonkers General Hospital.

•

MONTAGUE SALMON, JR., son of the managing director of the Rivoli Theatre, New York, will be graduated from the U. S. Merchant Marine Academy on June 14.

•

MARY MCGAVRAN, *Ohio State Journal* theatre editor, and HAROLD KOEBEL, also of the *Journal* staff, will be married in the fall.

•

MAURICE N. WOLF, assistant to M-G-M exhibitor relations chief H. M. RICHEY, will leave here tomorrow for Boston.

•

PHYLLIS M. MOUNTFORD, Altec office secretary in New York, and U. S. Army Staff Sgt. H. S. MCINTOSH have become engaged.

•

JAY EISENBERG, M-G-M legal and sales department liaison, will leave New York Sunday for Minneapolis.

•

AL ZIMBALIST, Film Classics advertising-publicity director, is in Cleveland from New York.

•

WALTER KLEMENTS, manager of the Biltmore Theatre, Miami, has returned to his post following an illness.

•

IRVING ALLEN, Monogram producer-director, will leave Hollywood June 15 for Paris.

Rankin Asks Probe Of ERP Media Funds

WASHINGTON, June 2.—Apparently completely unaware that the European Recovery Program legislation specifically earmarked $15,000,000 to pay production and distribution costs of film companies, book publishers, and other information media, Rep. Rankin of Mississippi today called for a Congressional investigation of reports that these media would get the funds under a bill which the House Appropriations committee will report tomorrow.

Rankin quoted on the House floor newspaper reports that the committee will vote the $15,000,000 in subsidies, and declared that "if this is true, it certainly is an outrage and should be investigated at once."

Testimony by the State Department's J. Noel Macy on the use of the guaranty will be released by the committee tomorrow along with the bill.

Earmark $28,000,000 for Overseas Program of State Department

WASHINGTON, June 2. — House-Senate Appropriations Committee conferees have decided to give the State Department's overseas information program only $28,000,000 for operations during the coming fiscal year. This is the figure originally voted by the House, and is $1,600,000 less than that voted by the Senate, and $6,400,000 less than that asked by the President.

Hershfield Is Head Of UJA Drive Unit

Harry Hershfield has been appointed chairman of the columnists committee of the amusement industry's campaign for the United Jewish Appeal. The committee will initiate its activities on June 17 at a luncheon at the Hotel Astor here which will be sponsored by Moss Hart and George S. Kaufman for the legitimate theatre and allied fields.

MPAA, MPEA Boards Meet Here Monday

Meetings of the boards of Motion Picture Association of America and Motion Picture Export Association are scheduled to be held here on Monday. Eric A. Johnston is expected in New York from Washington to preside at the meetings.

Huston-Spiegel Set First

HOLLYWOOD, June 2—Horizon Productions, newly-formed John Huston-Sam Spiegel organization, has signed Jennifer Jones and John Garfield to star in its first production which will be released through Columbia, based on one of the stories in Robert Sylvester's "Rough Sketch."

Danzigers Filming First

Edward J. and Harry L. Danziger, owners of Eastern Sound Studios here, foreign-language dubbers for some of the majors, are producing "Jig Saw" in Metropolitan New York, without using any sets or studio space. Fletcher Markle of CBS, is directing.

Mullin Plugs the Leaks at M. and P.

Boston, June 2.—Martin J. Mullin, M and P Theatres head has ordered all executive office doors closed at all times to keep all important matters from leaking out. This also includes the telephone operators' room.

Gehring to Resume Survey of the Field

Continuing a survey of 20th Century-Fox branches, W. C. Gehring, assistant general sales manager, will leave here today on a two-week tour of the South, spending the weekend in Charlotte, where he will be joined by Harry Ballance, Southern division manager, who will accompany him to New Orleans, Memphis, Oklahoma City and Dallas.

Gehring recently completed a survey of the Central division and will continue his trips to the company's branches.

Paramount Meeting In K. C. Tomorrow

Charles M. Reagan, Paramount distribution vice-president, accompanied by E. K. O'Shea and Alfred Schwalberg will leave here today for a divisional sales meeting in Kansas City at the Muehlbach Hotel tomorrow and Saturday. Also attending will be Stanley Shuford, Ben Washer and Sid Mesibov, advertising, publicity and exploitation managers, respectively.

H. A. Bergson Named Successor to Sonnett

WASHINGTON, June 2.—Herbert A. Bergson, who has been serving as executive assistant to Attorney General Tom Clark, was today named assistant Attorney General in charge of the anti-trust division by President Truman. Bergson, who has been in the Justice Department since 1934, is succeeding John F. Sonnett, who resigned May 15.

Miss. Owners to Meet

JACKSON, Miss., June 2.—Annual convention of the Mississippi Theatre Owners has been called for June 20-22 at the Buena Vista Hotel, Biloxi, it was announced here today by E. W. Clinton of Monticello, secretary-treasurer of the organization. M. A. Connett of Newton, is president.

Another Video Delay

HARTFORD, June 2. — The Federal Communications Commission has postponed television application hearings in Hartford to August 2. Three applicants for the city's two channels are Travelers Broadcasting Service, *The Hartford Times*, and Connecticut Broadcasting.

M. & P. House to Resume

BOSTON, June 2. — M. & P.'s Criterion Theatre will reopen shortly after a complete renovation due to a fire a few years ago.

Paramount Reissues DeMille's 'Crusades'

Cecil B. DeMille's "The Crusades," first released in 1935, has been reissued by Paramount. It now runs 126 minutes, a one-and-a-half minute prologue having been added, consisting of newsreel clips of current fighting in the Holy Land, with a narration by DeMille. As a religious spectacle of fire, sword and lavish costuming "The Crusades" holds up well by current picture-making standards. Starring are Loretta Young and Henry Wilcoxon.

A review in MOTION PICTURE DAILY on August 2, 1935, said that the film "gives exhibitors super de luxe entertainment," and, "DeMille has created one of the biggest box-office grossers." M. H.

Miss Jean Lightman To Be Wed on Sunday

MEMPHIS, June 2.—Jean Lightman, daughter of M. A. Lightman, Sr., Malco Theatres president, and Mrs. Lightman, will be married here on Sunday to Herbert Raymond Levy, son of Mr. and Mrs. Alfred Levy of New York.

Mrs. M. A. Lightman, Jr., will be matron of honor. Groom will be attended by his father, as best man, and by M. A. Lightman, Jr., and Richard Lightman, brothers of the bride.

Shaw and Fine to "M.C."

HARTFORD, June 2.—Harry F. Shaw, Loew's Poli circuit division manager, and Hy Fine, district manager for M. and P. Theatres, will be masters-of-ceremonies at the Hotel Bond June 9 testimonial dinner in honor of Rube Lewis, business manager for the past 25 years of Local No. 84, IATSE. Lewis is also stage manager of Loew's Poli Palace. Richard Walsh, president of IATSE, will attend.

Scoppa Recuperating

Sal J. Scoppa, business agent of IATSE New York motion picture studio mechanics Local No. 52 and a member of City Commerce Commissioner Edward C. Maguire's industry coordinating committee, is recuperating at his home here from a heart attack. His duties at the local have been taken over temporarily by recording secretary Edward Muller.

Rathbone in Equity Post

Basil Rathbone has been elected third vice-president of Actors Equity. Elected council members to serve for five years were: Sidney Blackmer, Edith Atwater, Erin O'Brien-Moore, Eddie Nugent, Barbara Robbins, Clay Clement, Ann Thomas, Bill Rose, Edith Meiser and Loring Smith.

Thad Barrows Dead

BOSTON, June 2.—A heart attack today brought death to Thad Barrows, chief projectionist at the Metropolitan Theatre here since 1925. He was a past president of the Boston operators' local.

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"IT'S MAGIC"

"PUT 'EM IN A BOX"

The songs that are capturing the air waves!

"IT'S YOU OR NO ONE"

"I'M IN LOVE"

The musical that's fresh as a sea breeze!

"RUN, RUN, RUN"

"THE TOURIST TRADE"

IN COLOR BY TECHNICOLOR

STARRING

JACK CARSON

JANIS PAIGE

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and

DORIS DAY

She's Daynamite!

A NEW DAY FOR THE SINGING DANCING SCREEN

A marvelous new personality!

with OSCAR LEVANT ☆ S. Z. SAKALL

FORTUNIO BONANOVA

DIRECTED BY

MICHAEL CURTIZ

PRODUCED BY

ALEX GOTTLIEB

A

MICHAEL CURTIZ

PRODUCTION

Screen Play by Julius J. & Philip G. Epstein

Additional Dialogue by I. A. L. Diamond

Musical Numbers orchestrated and conducted by Ray Heindorf

A

WARNER BROS. PICTURES RELEASE

WB

Warner Bros.'

ROMANCE ON THE HIGH SEAS

German Exhibition Staging Comeback

By H. ZU LOEWENSTEIN

BERLIN, May 30 (By Airmail).—With the opening of its 70th theatre, Hamburg now has a total seating capacity of almost 31,000 and is regaining its pre-war position. In 1943, the city had 100 theatres.

Within one week, Munich reopened its 40th and 41st theatres. In the Rhineland, Duesseldorf is developing into the main film metropolis. Its two most recently opened theatres seat 800 and 1,500, respectively.

A new center of the industry is developing at Goettingen in the British zone. In the past 18 months, three new studios have been built under the supervision of the Goettingen production company, Filmaufbau-Gesellschaft. The studios will be leased.

The Motion Picture Export Association is meeting with increasing competition from the British Eagle-Lion. "Caesar and Cleopatra" is a sweeping success in many of the principal cities and towns of the American zone. A large number of other Eagle-Lion pictures are being shown or will be shown: "The Years Between," "The Overlanders," "Great Expectations," "The Wicked Lady," and others.

fly "the Hollywood" United's DC-6 Mainliner 300 onestop flight

Leave New York 12:15 pm, arrive Los Angeles (Lockheed Air Terminal) at 8:25 pm.

Fares are surprisingly low. Flights operate on Standard Time.

UNITED AIR LINES

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NEWARK: Call Market 2-1122 or an authorized travel agent.

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TOPFLIGHT TAPE CO. - YORK, PA.

Britain Rejects

(*Continued from page* 1)

Stafford Cripps has agreed to discussions between the Cinematograph Exhibitors Association and government officials later this year to examine the practicability or desirability of making changes in the tax for the 1949 budget.

Exhibitors were hopeful of some relief this year after a conference with Cripps last week during which the latter expressed sympathy with the predicament of some theatres.

Representing Cripps at the finance bill debate today, Hall rejected the proposal for admission tax relief this year. Admitting that it is necessary to watch the case of the smaller exhibitors, Hall claimed that the larger circuits still are doing well. He said he is satisfied that the tax currently does not militate against the industry's prosperity.

A CEA delegation had told Cripps that many small theatres have been operating at a loss which could be converted to a profit by a slight change in the admission tax.

U. K. Press

(*Continued from page* 1)

bargain Americans have regained the power and right to destroy British film making."

The authoritative *Manchester Guardian* comments on the significant note attached to yesterday's published text of the agreement stating that discussions are still proceeding on interpretation of the settlement, saying that implies that an agreement has not yet been reached by Wilson and Eric Johnston, Motion Picture Association of America president. The *Guardian* remarks on the trade's growing impatience over the outcome of the continuing discussions.

Brendan Bracken's *Financial Times* makes the acid remark that "As both parties speak what in essence is the same language, the results of their deliberations seem to have been marked by a singular lack of precision."

It is felt here that earlier publication of the agreement might have eased the present situation.

Mexicans Charge Discrimination

MEXICO CITY, June 2. — Asserting that film friction between Argentina and Mexico is steadily worsening, with boycotting and discrimination fast driving Mexican pictures from Argentinian screens, the National Cinematographic Commission has asked the Mexican government to take diplomatic action in the case, telling the government that while Argentinian pictures enjoy full facilities in Mexico, where their exhibition is good, all obstacles short of total prohibition are being put in the way of Mexican pictures in the Argentine.

Await Myers' Ideas On British Junket

Suggestions concerning arrangements for independent exhibitors to visit British studios and theatres, preferably this summer, at the invitation of J. Arthur Rank are expected from Abram F. Myers, chairman and general counsel of Allied States, within the next two weeks, according to Robert Benjamin and Jock Lawrence of the J. Arthur Rank Organization here, who conferred with Myers in Washington on the matter recently.

Eire Reduces Tax, Uruguay Increases

WASHINGTON, June 2.—The Irish government has cut its entertainment tax and the Uruguay government has effected an increase, Nathan D. Golden, Commerce Department film consultant reports.

Eire removed the additional tax which it imposed in January, assuring a continuing strong market for films in Ireland with the U. S. maintaining its pre-eminent position.

Golden reports that normal imports of U. S. films into Ireland have been resumed, following the British-American tax settlement. He points out that Ireland gets its films from British subsidiaries of U. S. firms in the United Kingdom, and got no new American films while the embargo to Britain was in effect. Notwithstanding this, more than 92 per cent of the films imported into Ireland in 1947 were Hollywood productions.

Uruguay's 10 per cent tax on tickets costing from .50 peso to one peso and the 15 per cent tax on tickets costing more than one peso have been retained, but there is now also a one centesimo tax on tickets costing up to .30 peso, two centesimos on tickets costing up to .40 peso, and three centesimos on tickets up to .50 peso. This is the first time low-priced admissions have been taxed in Uruguay.

Nova Scotia Will Not Increase Tax

OTTAWA, June 2.—Premier Angus Macdonald of Nova Scotia has indicated that, though the Canadian government has abandoned the 20 per cent war-time amusement tax, there will be no new amusement tax in his province this year.

Likewise, it is understood that Quebec may not increase its own 10 per cent amusement tax, as some provinces contemplate doing.

$840,000 for Theatres

OTTAWA, June 2. — The Canadian government reports that contracts awarded throughout the nation for the construction of theatres totaled $840,000 during April.

Stock Transactions

(*Continued from page* 1)

of 4 per cent cumulative preferred debentures.

With the exception of the Yates transactions, which were consummated earlier, the report covers the period from March 11, 1948, to April 10. Trading was fairly heavy in comparison with previous months.

At Paramount, Austin Keough gave away 1,000 shares, leaving him with only 500 shares. At Columbia, Jack Cohn trusts sold 500 shares, dropping holdings to 23,619 shares. Cohn himself held 47,969 shares. A. Montague sold 300 shares, dropping his holdings to 8,032 and warrants for 10,426 shares. A. Schneider gave away 700 shares to the Schneider Foundation, leaving him with 11,979 shares.

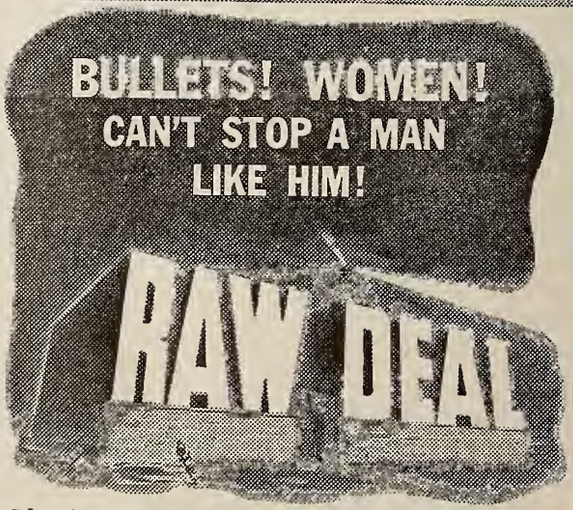
Loew's, Inc., bought 71 more shares of Loew's Boston Theatres common, boosting its holdings to 123,104. Monogram's Norton V. Ritchey sold 1,800 shares of his firm's common, dropping his total to 5,954.

At 20th Century-Fox, Wilfred Eadie and Donald Henderson each bought 100 shares, bringing their holdings to 101 and 110 shares, respectively. Universal director Ottavio Prochet sold 100 shares of common, leaving him with 100 shares and warrants for 1,011.

There was considerable activity in Trans Lux Corp. common. Norman W. Elson bought 2,000 shares to bring his holdings to 2,900; A. D. Erickson boosted his holdings to 1,400 shares with the purchase of a block of 800; Emil Friedlander, who resigned as director March 30, sold 500 shares, leaving him with 2,000; Percival E. Furber bought 1,000 shares, for a total of 2,800; Aquila Giles bought 700 for a total of 900; J. Whitney Peterson bought 500 for a total of 2,000, and Edwin G. Lauder, Jr., sold 5,000 shares, leaving him with 5,000.

New Cleveland Theatre

CLEVELAND, June 2. — P. E. Essick states that the new 1,800-seat Mayland Theatre which he and his associates, Howard Reif and J. S. Jossey are building, will be completed late thus summer, at a cost close to $500,000.



Blasting the screen with that T-MEN fury!
An EDWARD SMALL Production · An Eagle Lion Films Release

Prints at all Eagle-Lion Exchanges available for booking immediately.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

PHILADELPHIA

Philadelphians who stayed home during the holiday weekend seemed to prefer "All My Sons" at the Earle. "Silver River" also did well, while "Lady from Shanghai," "Homecoming" and "Mourning Becomes Electra" are faring nicely in the holdover class. Estimated receipts for the week ending June 1-3:

ALL MY SONS (U-I)—EARLE (3,000) (50c-60c-74c-80c-85c-94c). Gross: $32,500. (Average: $24,300)
ARCH OF TRIUMPH (UA)—BOYD (3,000) (50c-60c-74c-80c-85c-94c) 4th week. Gross: $15,900. (Average: $23,100)
THE BIG CLOCK (Para.)—ARCADIA (900) (50c-60c-74c-80c-85c-94c) 2nd run. Gross: $5,200. (Average: $6,000)
FOUR FACES WEST (UA)—STANTON (1,300) (50c-60c-74c-80c-85c-94c). Gross: $9,-800. (Average: $11,900)
GREEN GRASS OF WYOMING (20th-Fox)—FOX (3,000) (50c-60c-74c-80c-85c-94c). Gross: $16,000. (Average: $20,400)
HOMECOMING (M-G-M)—STANLEY (3,-000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $24,600. (Average: $20,500)
I REMEMBER MAMA (RKO Radio)—KEITH (2,200) (50c-60c-74c-80c-85c-94c) 5 days. Gross: $4,500. (Average: $6,100)
LADY FROM SHANGHAI (Col.)—KARLTON (1,000) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $13,000. (Average: $12,000)
MOURNING BECOMES ELECTRA (RKO Radio)—ALDINE (900) (50c-60c-74c-80c-85c-94c) 3rd week. Gross: $13,200. (Average: $13,200)
SILVER RIVER (WB)—MASTBAUM (4,-700) (50c-60c-74c-80c-85c-94c). Gross: $28,-500. (Average: $27,800)
STATE OF THE UNION (M-G-M)—GOLDMAN (1,400) (50c-60c-74c-80c-85c-94c) 5th week. Gross: $16,000. (Average: $22,-400)

DENVER

Three-day holiday, which tied in with heavy rain and hail on Sunday, took a heavy toll from grosses. "Outlaw" is getting a fourth week at the Broadway. Estimated receipts for the week ended May 27-28:

FOREIGN CORRESPONDENT (Associated) and SILVER QUEEN (Associated)—TABOR (1,957) (35c-74c) 7 days. Gross: $6,000. (Average: $8,000)
HAZARD (Para.)—DENHAM (1,750) (35c-70c) 7 days. Gross: $9,500. (Average: $11,00)
IRON CURTAIN (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox) — RIALTO (878) (35c-74c) 7 days, after a week at the Denver, Esquire, Webber and Aladdin. Gross: $2,000. (Average: $2,000)
LADY FROM SHANGHAI (Col.) and HEART OF VIRGINIA (Rep.)—DENVER (2,525) (35c-74c) 7 days, day-and-date with the Webber. Gross: $12,000. (Average: $13,000)
LADY FROM SHANCHAI (Col.) and HEART OF VIRGINIA (Rep.)—WEBBER (750) (35c-74c) 7 days, day-and-date with the Denver. Gross: $2,000. (Average: $2,000)
MATING OF MILLIE (Col.) and MADONNA OF THE DESERT (Rep.)—ESQUIRE (742) (35c-74c) 7 days, day-and-date with the Paramount. Gross: $2,000. (Average: $2,000)
MATING OF MILLIE (Col.) and MADONNA OF THE DESERT (Rep.)—PARAMOUNT (2,200) (35c-74c) 7 days, day-and-date with the Esquire. Gross: $9,-000. (Average: $10,000)
OUTLAW (UA)—BROADWAY (1,500) (35c-74c) 7 days, 3rd week. Gross: $12,000. (Average: $7,000)
SILVER RIVER (WB) and TRAPPED BY BOSTON BLACKIE (Col.)—ALADDIN (1,400) (35c-74c) 7 days, after a week at the Denver, Esquire and Webber. Gross: $2,500. (Average: $2,500)
SUMMER HOLIDAY (M-G-M) and BURNING CROSS (SG)—ORPHEUM (2,-600) (35c-74c) 7 days. Gross: $13,500. (Average: $13,500)

BUFFALO

The last two weeks have been listless here, probably because of nice weather. "Homecoming" was best at the Buffalo. Estimated receipts for the week ending June 5:

FORT APACHE (RKO Radio) and SMART POLITICS (Mono.)—TWENTIETH CENTURY (3,000) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $8,000. (Average: $15,000)
FULLER BRUSH MAN (Col.) and WRECK OF THE HESPERUS (Col.)—LAFAYETTE (3,000) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $10,000. (Average: $15,000)
HOMECOMING (M-G-M) — BUFFALO (3,489) (40c-50c-60c-70c) 7 days. Gross: $19,500. (Average: $18,000)
SUMMER HOLIDAY (M-G-M) and COUNTERFEITERS (20th-Fox) — TECK (1,500) (40c-50c-60c-70c) 7 days, 2nd week. Gross: $3,800. (Average: $5,500)
UNCONQUERED (Para.)—GREAT LAKES (3,000) (40c-50c-60c-70c) 7 days. Gross: $13,200. ((Average: $17,000)
WOMAN IN WHITE (WB) and ARGYLE SECRETS (FC)—HIPPODROME (2,100) (40c-50c-60c-70c) 7 days. Gross: $8,600. (Average: $10,000)

MINNEAPOLIS

Business was slow all along the line as the holiday weekend had the city almost deserted. Estimated receipts for the week ending June 4:

BELLE STARR (20th-Fox)—GOPHER (1,-000) (44c-50c) 7 days. Gross: $3,500. (Average: $3,500)
DUEL IN THE SUN (SRO)—STATE (2,-300) (50c-70c) 7 days. Gross: $7,500. (Average: $11,800)
FORT APACHE (RKO Radio) — RKO ORPHEUM (2,800) (50c-70c) 7 days. Gross: $13,000. (Average: $14,000)
RIVER LADY (U-I)—RKO PAN (1,500) (50c-70c) 7 days. Gross: $7,000. (Average: $8,800)
SITTING PRETTY (20th-Fox) — CENTURY (1,500) (50c-70c) 7 days, 2nd week. Gross: $5,800. (Average: $6,100)
THE SAINTED SISTERS (Para.)—LYRIC (1,100) (50c-70c) 7 days, 2nd week. Gross: $5,100. (Average: $5,500)
THREE DARING DAUGHTERS (M-G-M)—RADIO CITY (4,000) (50c-70c) 7 days. Gross: $12,500. (Average: $17,000)

INDIANAPOLIS

The long weekend failed to revive first-run business here. "Homecoming" is the only attraction with an impressive box-office take this week. It will hold over at Loew's. Outdoor weather and the 500-mile race on Decoration Day took the crowds away from theatres. Estimated receipts for the week ending June 1-2:

THE GREEN GRASS OF WYOMING (20th-Fox) and 13 LEAD SOLDIERS (20th-Fox)—CIRCLE (2,800) (44c-65c) 7 days. Gross: $11,000. (Average: $10,000)
HOMECOMING (M-G-M)—LOEW'S (2,-450) (44c-65c) 7 days. Gross: $18,000. (Average: $11,000)
I REMEMBER MAMA (RKO Radio)—INDIANA (3,200) (44c-65c) 7 days. Gross: $12,000. (Average: $12,000)
PANHANDLE (AA) and ROCKY (Mono.)—LYRIC (1,600) (44c-65c) 7 days. Gross: $6,000. (Average: $6,000)
SHAGGY (Para.) and CLOSE-UP (EL)—KEITH'S (1,300) (44c-65c) 7 days. Gross: $3,000. (Average: $4,500)

U-I Sales Meeting

(*Continued from page* 1)

home office will be Fred Meyers, F. J. A. McCarthy, C. J. Feldman, James J. Jordan, E. L. McEvoy, Jack Huber, Milton M. Schneiderman, Ray Coyle and Frank Mooney. Eastern, Middle Western and Southern district managers in attendance will include John J. Scully, David Levy, Dave Miller, P. F. Rosian, J. E. Garrison, M. M. Gottlieb and P. T. Dana.

Advertising and promotion plans on forthcoming U-I releases will be discussed by Maurice A. Bergman, Eastern advertising-publicity director.

Philadelphia Premiere

"So This Is New York" will have its world premiere in Philadelphia at the Earle Theatre on June 24, United Artists, distributors of the Enterprise film, announces. Henry Morgan makes his first screen appearance in the film which also features Rudy Vallee and Hugh Herbert.

Hearings on Cohen's Trust Suit June 15

Federal Judge Alfred C. Coxe yesterday signed an order postponing until June 15 hearings in U. S. District Court here on motions made by the Max A. Cohen enterprises and Anco and Anwell Amusement corporations, in the $1,800,000 triple-damage antitrust suit filed against RKO Radio, 20th Century-Fox and Warners. Hearings were scheduled for yesterday.

Two Mandates

(*Continued from page* 1)

notified that the Government will seek a June 15 hearing on the proposed order and have been asked to send their objections to the Department of Justice on its contents.

The order, of course, cannot embrace those phases of the case which the Supreme Court remanded to the lower court for reconsideration. It must adhere to the issues already decided by the Supreme Court.

Salesmen Named

(*Continued from page* 1)

er that territory for their companies, allegedly giving them an advantage in inducing the distributor defendants to grant them first-run preference for the theatres which they operate. Discrimination in clearance, percentage and playing time is charged.

The plaintiff is represented by the New York law firm of Isseks, Meyers and Verdon and by Robert Sher of this city.

Shuberts Lose Appeal

The ruling upholding Columbia's use of the Winter Garden settings in "The Jolson Story" was affirmed yesterday by the Appellate Division of the State Supreme Court in the suit brought by the Shuberts.

B.&K. House to Schwyn

TOLEDO, June 2.—Carl Schwyn will take over the Paramount Theatre on July 1 from Balaban and Katz. He will retain Marvin Harris as manager.

$2,000 'Fanny' Opener

Siritzky - International's French-made "Fanny" grossed $2,000 on its opening day, last Monday, at the 1,300-seat Exeter in Boston, the Siritzky office here reports. This contrasts with a gross of $2,000 estimated for the current week's engagement by MOTION PICTURE DAILY'S Boston correspondent.

Competition in Boston

BOSTON, June 2. — Forty-six night baseball games will be played at Fenway Park and Braves Field here this summer. Exhibitors say the games will cut heavily into grosses. Average attendance at night games is about 30,000.

United Artists' executives have, in the last few days, shown Howard Hawks' "Red River" to the leading film buyers of the Southwest. These showmen agree unanimously and without reservation that "Red River" will take its place in motion picture history beside such epics as "The Covered Wagon" and "Cimarron".

The Southwest today — tomorrow the whole industry will know that

"RED RIVER"

is moving!

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 108 | NEW YORK, U. S. A., FRIDAY, JUNE 4, 1948 | TEN CENTS

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$50 MILLIONS ARE BLOCKED: JOHNSTON

See Companies Using Bids on 'Larger Scale'

Levy Tells UTOI Meet Trade Upheavals Coming

By JIMMY ASCHER

LaSalle, Ill., June 3.—Prediction that competitive bidding will be used by distributors "on an even larger scale than heretofore" was made by Herman Levy, general counsel of Theatre Owners of America, in analyzing "special aspects" of the Supreme Court decision in the Paramount case at the annual convention of United Theatre Owners of Illinois here today.

Levy was accompanied here by Gael Sullivan, new TOA executive director, who made his first official appearance in the industry in that capacity.

Pointing out that despite the Supreme Court's disapproving views of competitive bidding, that selling sys-

(*Continued on page 4*)

Skouras Cites Video As Revenue Source

San Francisco, June 3.—Final witness at the Federal Communications Commission television hearings here last night was Spyros P. Skouras, 20th Century-Fox president, who testified his company is interested in television primarily as a potential source of additional revenue. If its application is granted by the FCC, Skouras said, his company plans to erect a

(*Continued on page 3*)

Film Rentals Are Off 6% to 7%: Balaban

Boston, June 3.—Asserting that big pictures do not mean much at the box office at present, Barney Balaban, Paramount president, said here today that film rentals are off six to seven per cent. He pointed out that British films do not do business in this country and said that Paramount will not make many pictures in Britain.

Television eventually will affect the theatre business, he said, intimating that the new medium is not a very important competitive factor at present.

Columbia to Meet in New York, Chicago

Columbia has scheduled two five-day sales meetings. A. Montague, general sales manager, will preside at both.

First will be at New York's Warwick Hotel on Monday through Friday. Second is scheduled for June 14-18, at the Drake Hotel, Chicago. Home office executives and branch and district managers will attend.

House Unit Slashes ERP Media Fund By $5,000,000

Washington, June 3.—The House Appropriations Committee today sliced from $15,000,000 to $10,000,000 the funds that the European Cooperation Administration can use to guarantee film firms and other information media, convertibility of costs of sending motion pictures, books, newspapers and magazines into Marshall Plan countries. The committee also ordered the ECA to stretch the funds through June 30, 1949, instead of April 3, 1949. The original European Recovery Program bill authorized information media to get a full $15,000,000 for the first year of ECA operation.

The slice in the information funds is

(*Continued on page 3*)

UA Meet Discusses UK Pact, Decision

Hollywood, June 3.—Implications of the U. S. industry's pact with Great Britain to end the *ad valorem* tax and of the recent Supreme Court decision with respect to United Artists were canvassed today by UA president Gradwell L. Sears at a meeting with the company's contributing producers. He declined to comment on whether Howard Hughes' acquisition of RKO would entail withdrawal of Hughes' completed product from United Artists release.

In a report on his observations during his recent trip abroad, executive vice-president Arthur W. Kelly disclosed that the company is hoping to re-enter the Holland market.

Sears also declined to comment on reports that M-G-M will take over domestic distribution of Enterprise product previously carried by UA.

[Finalization of the M-G-M deal with Enterprise was announced yesterday.—Editor's Note.]

Sears and Kelly will leave here by plane tomorrow for New York, while Paul Lazarus, Jr., advertising-publicity vice-president, will remain here through Tuesday.

Sees No Improvement in Foreign Situation; Not Considering Censor Test

Washington, June 3.—Motion Picture Association president Eric Johnston indicated today that the film industry now has more than $50,000,000 blocked overseas.

There's about $18,000,000 blocked in France alone, Johnston estimated, and another $3,000,000 in Italy.

Other Johnston statements at a trade press luncheon included:

The whole foreign situation is in many respects worse than it was a year ago, and certainly no better.

He has given "no consideration" to an MPAA suit challenging local censorship laws on the basis of the "free-

(*Continued on page 3*)

UK Rental Parley Hits A Deadlock

London, June 3.—The Cinematograph Exhibitors Association and Kinematograph Renters Society joint committee has opened discussions on possible lower rental terms for small exhibitors, but a deadlock has appeared already.

CEA is pressing to have the number of theatres qualifying for "special rental treatment" increased and asks that identification of such houses be on the basis of a maximum weekly gross income average of 150 pounds ($600) instead of 125 pounds ($500), as at present.

KRS, however, has submitted a

(*Continued on page 3*)

Theatre Video Pickups By Approval Only: NBC

Theatres will not be permitted to pick up National Broadcasting's telecasts for commercial usage on their screens without an agreement with the network. Sidney Strotz, NBC's television administrative vice-president asserted here yesterday. Details of such an agreement have not been determined, he added.

Eventually, he said, the issue will have to be fought out in the courts. Strotz pointed out, however, that he "did not say television deals could not be made with theatres." Strotz, who replaces Frank Mullen, resigned, will divide his time between New York and Hollywood.

Strotz said that no theatre has approached NBC for permission to use its telecasts. As to product, he declared that NBC has been "approached by practically everyone in Hollywood to make films," but prices are too high.

He called Hollywood "a natural production center for television because of its wealth of talent," and added that it would be a rival to New York in video production. Strotz estimated that NBC will have Coast-to-Coast television in 1953.

He also revealed that the company's stations in Cleveland, Chicago and

(*Continued on page 3*)

Ogden Exhibitors Get 50% Tax Cut

Salt Lake City, June 3.—Indicative of the relief that can be gained from high wartime taxes when a concerted appeal by local exhibitors convinces municipal authorities that such relief is essential, the city of Ogden, second largest in Utah, has reduced its annual theatre license levy 50 per cent, from $400 to $200.

Ted Kirkmeyer of Fox-Intermoun-

(*Continued on page 3*)

MR. BLANDINGS BUILDS HIS DREAM HOUSE IN SEVENTY CITIES ...in July and August... S.R.O. of course!

Personal Mention

SPYROS P. SKOURAS, 20th Century-Fox president, accompanied by his executive assistant, LEM JONES, returned here yesterday from San Francisco.

•

CHARLES D. PRUTZMAN, Universal vice-president and general counsel, is at State College, Pa., for the 30th reunion of his Penn State class and the graduation of his son, CHARLES D., JR., from the college this weekend. The son will enter Yale Law School next fall.

•

PRESTON L. HICKEY, assistant to ARTHUR DE BRA, MPAA community relations director, has become a grandfather with the birth of a son to MR. and MRS. JAMES B. HICKEY in Hollywood.

•

ROBERT W. CHAMBERS, director of the Motion Picture Association of America research department, and MRS. CHAMBERS, have become parents of their second son, THOMAS HEATH.

•

ED HINCHY, Warner home office playdate department head, is due in Chicago and will visit Milwaukee before returning to New York on Monday.

•

SALLY FAIRBANKS, daughter of R. D. FAIRBANKS, Altec branch manager in Boston, and MAJOR LLOYD PATCH of Brockton, Mass., were married last weekend.

•

DAVID A. LIPTON, Universal-International studio coordinator of advertising and promotion, returned to the Coast yesterday from New York.

•

ORTON H. HICKS, director of Loew's International's 16mm. department, is due back here tomorrow from London.

•

WILLIAM R. FERGUSON, M-G-M exploitation director, has returned to New York from a Maine vacation.

•

ALFRED HITCHCOCK is due here from London over the weekend en route to the Coast.

•

DAVID HORNE, Film Classics foreign sales manager, will leave here today for a tour of South America.

•

WILLIAM CAGNEY has left here for Hollywood.

AMPA Induction Set For Next Thursday

The 32nd annual installation luncheon of the Association of Motion Picture Advertisers, for 1948-49 officers, headed by Max E. Youngstein, and induction of new members will be held next Thursday in the Hotel Astor here.

Phil Williams, outgoing acting president, will introduce Youngstein. Other officers are: David Blum, vice-president; Harry McWilliams, treasurer; Evelyn Coleman, secretary.

Insider's Outlook

By RED KANN

THE facts are accumulating. While not in sufficient volume to draw hard and fast conclusions, enough are on hand to justify these paragraphs.

RKO Radio has rounded out plans for "Battleground," a story of the famous Battle of the Bulge. Dore Schary views it as early as now as one of his regime's outstanding attractions next year. Washington officialdom is cooperating.

M-G-M has in work "Command Decision," a celluloid version of the Broadway stage hit. Clarke Gable stars. This will make two in a row about the war with him. "Homecoming," beginning to bite deeply into first-run time now around the country, is capturing heavy grosses in its early engagements.

Twentieth Century-Fox will have "Twelve O'Clock High," also based on the exploits of the Eighth Air Force.

With the blessings and active cooperation of the Navy Department, Warner is committed to "Task Force," based on the history of naval aviation. Jerry Wald, the producer, and Delmer Daves, the director of "Destination Tokyo" and "Pride of the Marines," again are teamed for this enterprise.

The same studio already has in work "Fighter Squadron," hopefully viewed by the management at Burbank as a saga of the Army Air Force in Technicolor.

■

All of these projects do not pretend to be anything but what they are. They are stories about World War II, on and over the fields of battle where guns roared and men on both sides died. In these days of Hollywood's pronounced leaning toward the semi-documentary in treatment, it seems an easy forecast to venture that they will be hard-hitting and perhaps even calloused in their realisms and brutalities.

The war is returning as a significant facet of next year's entertainment beyond any doubts.

■

There should be no surprise in this. At least, there is none in this corner, where for some time the unflinching opinion has been that big attractions dealing with the late conflict would not be blocked by the passage of time. The event was too big, too world-shaking and too personal with incalculable millions to have outlived its dramatic value simply because the cycle was overdone the first time around.

The parallel between the first World War and the second actually conveys the pattern. It has to be remembered, too, that "The Big Parade" and "All Quiet on the Western Front," the two distinguished films of the first embroilment, were produced years after the din of battle had quieted. "The Big Parade" smashed through in 1925. It was five years later before "All Quiet" reached its first theatre date.

History does not always repeat itself, but here is one instance in which we daresay it will.

■ ■

When New York City License Commissioner Benjamin Fielding joins Loew's the end of the month, he will operate initially on a roving assignment. First, he has to learn what makes motion pictures move. Thereafter, as Loew's has stated, he will concern himself with matters where his experience in finance, administration and economics apply.

The company might have added economies, too.

■ ■

Latest quirk in exhibition comes out of Boston, where the "Canoe-In Theatre" appears to be in the throes. Audiences would sit in canoes, instead of seats. Canoes would be parked in Maple Cove, in the Charles River, near Waltham. Shorts on 16mm. would comprise the two-hour show.

No information on whether customers would have to pass a swimming test.

■ ■

Harry L. Gold—"I read you regularly," says he fortunately —reports that UA had a "Mr. Robinson Crusoe" in 1932. Added to RKO's in 1928, that makes Hedda Hopper wrong twice. She's been saying Metro's proposed version of the Defoe classic would be the first on film or stage.

■ ■

TELEPHONE PIECE: "Morning, Gus. How's the boss of Rockefeller Center today?"

Eyssell, rejoining: "He's fine. But just don't tell him *your* lights are out or the elevator service isn't so hot."

'Cavalcade of Stars' Staged at the Garden

The 1948 "Cavalcade of Stars" was staged at Madison Square Garden here last night with stars of screen, stage and radio participating. Proceeds will go to the Shield of David Home for Orphan Girls in the Bronx.

Chairman of the event was New York Supreme Court Justice Samuel Dickstein. The committee in charge of the production was headed by Russell Markert, stage producer of Radio City Music Hall here.

'Regards' Premiere In Boston June 16

Twentieth-Fox has scheduled a series of key city day-and-date openings of "Give My Regards to Broadway" to be held on June 16 to support the world premiere of the film on that day at the RKO Memorial Theatre, Boston. Premiere was set back from June 9.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

PAULETTE GODDARD
MACDONALD CAREY
"HAZARD"
A Paramount Picture
IN PERSON THE KING COLE TRIO plus KAY STARR • PAT HENNING THE FOUR EVANS
RAY ANTHONY And His Orchestra
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Merle OBERON • Robert RYAN • Charles KORVIN • Paul LUKAS
Berlin Express
RKO RADIO PICTURE
VICTORIA Theatre BROADWAY at 46th STREET

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

DANA ANDREWS • GENE TIERNEY
"THE IRON CURTAIN"
A 20th Century-Fox Picture
PLUS ON STAGE
ED SULLIVAN
his DAWN PATROL REVUE
ROXY 7th Ave. & 50th St.

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Rosenberg Will Make Picture on His Own

Plans for his first solo effort as a producer were disclosed here yesterday by Frank P. Rosenberg. The film, "Night Cry," based on a novel by William L. Stuart, will be made by the former Columbia advertising-publicity director under the firm name of Colony Pictures, of which he is president. Rosenberg said the picture will be budgeted at about $900,000, and is scheduled to start in the fall, with exteriors to be shot in New York.

Rosenberg's initial venture in production was "Man Eater of Kumaon," by Jim Corbett, British hunter. A Universal-International release, the adventure film, produced by him in association with Monty Shaff, is tentatively set to have its world premiere at the Winter Garden here on July 1. Rosenberg disclosed that the production cost $700,000, which was under its budget.

Balaban Honored for Fostering Goodwill

BOSTON, June 3.—A citation for his contribution to goodwill through his activities in behalf of the Freedom Train was awarded to Barney Balaban, Paramount president, here tonight at the annual dinner of the Massachusetts Committee of Catholics, Protestants and Jews, held at the Hotel Statler.

"The greatest threat of Communism lies not on a military battleground but in the hearts of our people," he asserted. "As long as we have faith in ourselves and cling to our heritage of freedom, then no power can destroy our way of life. Give us hearts that are sound, hearts that beat to the traditional rhythm of America—and we'll take Stalin in stride as we've taken Hitler and Mussolini."

Skouras on Video

(*Continued from page* 1)

transmitter on Mount Tamalpais and a $1,000,000 studio adjoining the Fox Theatre on Market Street here.

In discussing television as a potential new revenue source, Skouras revealed that 20th-Fox grossed $140,000,000 and netted $14,000,000 in film and theatre income last year, compared to $190,000,000 and $22,000,000, respectively, in 1946.

Other applicants for the single television channel to be allocated here are Television California, owned by Edwin Pauley; Paramount, Columbia Broadcasting and Oakland's Station KROW.

Theatre Video

(*Continued from page* 1)

Hollywood will be on the air by mid-October; the first of the three NBC sound stages leased from RKO Pathe here will be in operation by July; and NBC can process film programs to be shipped in one day. Strotz announced that a national television film distribution organization is "being put together at the moment."

Merritt - Altec Deal

BIRMINGHAM, June 3.—Frank V. Merritt of Community Theatres here has signed a service, sound and booth parts contract with Altec for the Woodlawn, East Lake and Avondale theatres in Birmingham, the North Birmingham in that city and the Tarrant in Tarrant City, Ala. Elmer Dedels negotiated for Altec.

Johnston

(*Continued from page* 1)

dom of the press" passage in the Supreme Court's Paramount opinion, and thinks that in view of other imminent problems, such a case would be "putting the cart before the horse."

American film firms will not produce more than 12 films a year in Britain for the next two or three years.

$90,000,000 Remitted Last Year

The industry got about $90,000,000 in remittances last year and will get "much less than that" this year.

Statements of British officials on what American companies could do in the U. K. with unremitted sterling have been "far more restrictive than we contemplated but that doesn't mean we'll settle that way. Bargainers always ask for more than they get."

The motion picture industry has been going through a readjustment period for the last few months that other industries are just reaching or will not reach for another year.

Motion picture salaries are still too high.

He will leave for France "sometime very soon" to participate in the renegotiation of the Blum-Byrnes accord.

Extension of the Reciprocal Trade Agreements Act in its present form is extremely important for the film industry in the long run.

Will Call Parley on Video

He hopes to call a conference of company heads in two or three months to go over the entire television picture as it affects the industry.

Johnston was asked if our blocked funds have not now reached proportions where there is little chance of recovering large amounts of them.

"If the European Cooperation Administration functions as it must," he stated, "then in three or four years it is possible we will begin liquidating some of these sums. As far as foreign sales are concerned, the motion picture industry's chief hope is the economic rehabilitation of the world."

He estimated that it would be September or October before the British tax agreement is finally clarified and interpreted.

'First Things Come First'

Johnston declared that he did not know of any individual company that was planning to challenge local censorship in the courts, and declared he felt "first things come first." He listed the foreign situation, better films, public relations and labor as four "imminent" problems which should receive attention before the censorship issue is fought.

Opportunities for growth in the motion picture industry are as great as ever, Johnston declared. He said the industry was through a depression "perhaps ahead of other industries and may find itself in a better position later than other industries." He said he did not expect the film industry "to go down much farther" from the war peaks.

Get 50% Tax Cut

(*Continued from page* 1)

tain Theatres, headed a delegation of theatre owners to a meeting with the City Commission which heard the exhibitors' appeal for a cut. Drive-in theatre expansion and reduced theatre attendance were given as the reasons for seeking a lower levy.

1947 - 48 Product Is The Poorest: Yamins

Boston, June 3.—Nate Yamins of Fall River, New England independent exhibitor leader, states that in the many years he has been in the business never has he seen such poor product as that produced for the 1947-48 season.

Yamins was one of the first exhibitors to fight against the former block booking system, the elimination of which, exhibitors claimed at the time, would improve product.

Ambassador to Make Feature in Austria

Eugen Sharin, former European sales chief for Eagle-Lion and now president of the newly-formed Ambassador Films, has completed arrangements for making a feature film in English in Vienna in August. It will be titled "Time Table for Love," with Steven Vas doing the script.

Back from a European visit, Sharin also has acquired Western hemisphere rights for television as well as theatre exhibition for two short subjects. He brought the films back from Europe but will not distribute them himself.

MPEA Directors To Meet Next Friday

WASHINGTON, June 3.—Motion Picture Export Association directors will meet next Friday, June 11, not next Monday as originally announced, MPEA president Eric Johnston said here today. He declared that the directors will go over the general foreign situation, and spend considerable time on the British problem.

Johnston said he hoped to be able to squeeze an MPAA board meeting in Friday afternoon.

ERP Fund Cut

(*Continued from page* 1)

a considerable blow to the film industry, which gave the State Department figures indicating it hoped to get about $4,500,000 from the guaranty provision, for operations in 14 Marshall Plan nations, excluding the United Kingdom and Ireland.

Since the totals sought by the various information media came to close to $21,000,000 in the first place, it was obvious all along that each media would have to be cut some for the total to come within $15,000,000. Now with the latest appropriations committee action, a further sharp cut in the film industry's share is in sight. The exact amount will depend on whether the House Committee's action is changed any on the House floor or in the Senate, and how the administrator divides up the guaranty melon.

There will probably be some fighting on the House floor for the full $15,000,000 but probably an even stronger movement to cut the information funds back further. The Senate, however, would be more likely to vote the full sum.

Members of the House Rules Committee yesterday were openly hostile to the information funds provision, some favoring complete elimination of the section. They charged that the section was a device for repaying pro-Marshall Plan papers and magazines for supporting the Administration.

UK Rentals Parley

(*Continued from page* 1)

counter proposal calling for elimination of the identification by a gross limit and substitution of a new practice whereby complaining exhibitors disclose their books to the KRS. Exhibitors have refused to agree to this, claiming it would be an infringement of their trading rights.

Meanwhile, KRS has undertaken to consider the CEA proposal, but it is understood that there is little likelihood of its adoption while exhibitors persist in their present mood.

UTOI Meet

(*Continued from page* 1)

tem is not illegal. Levy said "it is false security for exhibitors to feel it will not be employed by some distributors and that it will not be called for by some exhibitors." He said that in order to avoid anti-trust charges of monopoly, distributors may resort to the system in self-defense.

He reiterated an earlier warning that, under the decision, the New York District Court has the right to evolve some other selling system, but that would not develop for some time and, meanwhile, competitive bidding could be employed.

Block Booking 'Still Possible'

Levy also pointed out that block booking still is possible even though compulsory block booking has been outlawed.

"Exhibitors may purchase in groups or blocks if they wish to, and if distributors are agreeable and provided, further, that in the particular group or block in question there has been no conditioning of one picture upon any other," he added.

Predicting widespread changes in clearances, Levy said many exhibitors are not yet "conscious of the problem." The difficulty of distributors hewing to the line of what is "reasonable" clearance, he said, offers "one of the greatest litigation potentials ever visited upon the industry."

"Many clearances of long standing will suffer an upheaval," Levy said, adding that "it is reasonable to assume that clearances granted by the several companies will vary. Uniformity and fixedness of clearance are things of the past."

Levy concurred with views of numerous other industry members that the Supreme Court decision will encourage "substantial construction of theatres by those who feel they are now guaranteed a particular run or a split of product." He warned that suits over arbitrary refusal of run will join as a defendant the exhibitor enjoying the run in question.

Sees Many Runs 'Disturbed'

He said the court's pronouncements on the latter subject "may very well disturb runs in many situations that have been enjoyed by exhibitors for years."

Sullivan, who was sole speaker at the banquet this evening, cited a number of forthcoming pictures "that combine good entertainment with good citizenship," including "State of the Union," "Emperor Waltz," "The Iron Curtain," "The Pirate" and "Another Part of the Forest."

"The factual and realistic films of recent years prove that it is possible to entertain and instruct at the same time," he declared, adding that wartime documentary films brought new patrons to commercial theatres.

Pointing to the "great strides" made by theatre owners in construction of theatres, Sullivan said their aim is not beauty alone but also safety. In reply to a query, he said that the great task for the future of the industry is "providing for a nationwide consumption of satisfactory leisure."

He concluded by pointing out that TOA, seeing a changing panorama in the entertainment world with the expansion of television, is preparing to meet that challenge.

Earlier, Edward Zorn, UTOI president, attacked the distributors and National Screen Service on what he called the shortcomings of trailers in theatres. "There is no conceivable reason why the exhibitor must furnish his screen theatre and the audience, and still pay National Screen for an accessory," he said. Furthermore, he added, the exhibitor pays a considerable royalty through NSS to the producer for advertising the latter's product. Praising TOA for its success in negotiating equitable rates with the American Society of Composers, Authors and Publishers, Zorn emphasized that the money Ascap "extorts is peanuts" compared with what the distributors collect.

Review

"Coroner Creek"

(*Prod. Actors Corp.—Columbia*)

A SOLID and reliable attraction of the early West photographed in constantly improving Cinecolor—that's "Coroner Creek," adapted from a *Saturday Evening Post* novel by Luke Short and handled on a scale that befits the story.

Randolph Scott, whose lanky shanks fit well into the saddle and whose gun-finger curls effectively around his six-shooter trigger, is the lead. Marguerite Chapman, who runs the hotel at Coroner Creek, is the romantic interest although she and Scott don't get together until George Macready, the heavy, is eliminated and Scott's trail of vengeance ends.

Performances are standard, but good. Production values are excellent. The story has its guts. It also has its brutality, such as crushing the gun-hands of two of the characters by mauling them under foot, which is not precisely essential to the development of the yarn although there is impact in it.

Harry Joe Brown produced and Ray Enright directed, from a screenplay by Kenneth Gamet. Reliables in the cast include Sally Eilers, Edgar Buchanan, Wallace Ford and Russell Simpson.

Runing time, 90 minutes. General audience classification. Release date, not set.

RED KANN

D.C. House Converts

WASHINGTON, June 3.—Washington's only legitimate playhouse now operating, the National Theatre, today announced plans to become a motion picture theatre in September. The theatre management had been notified by Actors Equity that its members will not appear in plays at the house after Aug. 1 unless the management changes its policy of not admitting Negroes.

Blytheville Theatre Burns

BLYTHEVILLE, Ark., June 3.—The theatre at the air base near here was destroyed by fire yesterday. Loss is estimated at $60,000. The theatre was re-opened May 19 for public use after being closed when the base was deactivated here. It was under lease to Erwin Jones, Rev. McQuisiton and James Fisher.

Garland Theatre Opening

LITTLE ROCK, June 3.—Formal opening of the Garland Theatre here, under the direction of Floyd B. Peek, manager, will be held on June 8.

Court Weighs Cases Of Lardner, Scott

WASHINGTON, June 3.—Contempt of Congress cases of Ring Lardner, Jr., and Adrian Scott were taken under advisement today by Judge Edward Curran. Trial record was stipulated on the basis of Un-American Activities Committee hearings and the record in the John Howard Lawson and Dalton Trumbo trials. They will be sentenced on the basis of action in the Lawson and Trumbo appeals.

Lardner and Scott were the last two of the 10 defendants to have their cases disposed of. Two have been convicted and six others had their cases taken under advisement earlier pending the outcome of the Lawson and Trumbo appeals.

Capital Eases Up On Building Code

Washington, June 3.—District commissioners have approved minor changes in building code requirements for theatres, which will cost Washington theatre owners only about $50,000. This is regarded as a victory for the owners, who fought proposals made by District building officials which would have cost $2,000,000.

A group of owners worked out the compromise with the building officials.

5th - Walnut Queries Competitor in Trial

Monroe E. Stein, trial counsel for Fifth and Walnut Amusement Co., sought to show in U. S. District Court here yesterday through examination of Fred Dolle, operator of Louisville's Brown, Rialto, Strand and Uptown theatres, that Dolle's first-run houses have not been getting maximum running time value out of films supplied by distributor-defendants in Fifth and Walnut's $2,100,000 triple-damage anti-trust action.

Plaintiff contends that its National Theatre, Louisville, could have given pictures maximum running time if it had been granted first-run.

Dolle testified yesterday that the length of time a picture remains at his theatres depends on his own discretion. Trial will resume today before Judge Vincent L. Leibel and a jury.

Edward Lachman
president,
Allied Theatre Owners
of New Jersey, and owner,
State Theatre, Boonton, N. J.
says:

"WE HAVE DISCOVERED, OVER THE YEARS THAT ALTEC SERVICE IS 'ON OUR SIDE'"

"Events in recent years teach us that we have to be vigilant *all* the time—not just now and then—about making our theatre a place people prefer to come to for entertainment. We've got to make the most of the product we show, and to do so, we've got to make the most of what people *hear* as well as what they *see*. Over the years, Altec has constantly kept our sound equipment working at top quality. Altec's only object is to make our theatre do a better entertainment job: it's no mere side line with them. Altec Service is 'on *our* side.'"

Altec Service, known for its service "over and above the contract" is a vital ingredient of your theatre's ability to meet successfully the competition of other forms of entertainment. An Altec Service contract is the soundest long term investment an exhibitor can make today.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 53. NO. 109 NEW YORK, U.S.A., MONDAY, JUNE 7, 1948 TEN CENTS

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Gov't's Notice This Week On Its Motion

Defendants May Oppose Or Submit Alternates

WASHINGTON, June 6.—Present Justice Department plans are to serve notice sometime this week on counsel for the Paramount case defendants informing them that the Government's proposed temporary order will be submitted to Judge Learned Hand in New York District Court on June 15.

Notice of a hearing must be given to other parties five days in advance of the hearing, so that if the June 15 date is not changed, the notice must be served on or before the 10th.

Defendants can presumably either oppose portions of the Government order and offer alternate sections or can offer an entirely different order.

Justice Department Attorney Robert Wright said he did not think that a third member of the court would

(Continued on page 3)

'IA,' Sopeg to Argue At NLRB Thursday

Representatives of AFL's IATSE Home Office Employes Local No. H-63 and CIO's Screen Office and Professional Employes Guild will meet here before National Labor Relations Board hearing officer Arthur Younger on Thursday to present respective arguments in connection with H-63's petition for a shop election at United Artists' home office where an "overwhelming majority" of the "while collar" workers have renounced SOPEG in favor of "IA" member-

(Continued on page 3)

Action on ERP Fund Now Up to Senate

WASHINGTON, June 6.—Hopes for Congressional appropriation of the full $15,000,000 convertibility guaranty for films and other information media under the European Recovery Program, shifted to the Senate, as the House on Friday stood by the action of its appropriations committee in slashing funds sharply.

However, information groups got off better than was expected, since the House, in a surprise vote, defeated by 117-67 a move to cut all information funds from the ERP appropriations bill.

Govt's Case May Get Judge Leibel

U. S. District Court Judge Vincent L. Leibel is likely to replace the late Judge John Bright as a member of the three-judge statutory court assigned to the Paramount, et al, anti-trust suit, it is reported in court circles here. The other two judges are Learned Hand and Henry W. Goddard. Leibel is currently hearing the Fifth and Walnut theatre anti-trust suit.

Shortages Continue In Some Materials

WASHINGTON, June 6.—Commerce Department reports that production of some building materials took a sharp upturn in March—latest month for which the Department has figures—but officials believe some materials used in theatre construction will continue in tight supply throughout the year.

Toughest spot, of course, will be steel, steel pipe, and other steel products. Cuts in European Recovery Program appropriations may ease the domestic situation a bit, but theatre owners will probably continue to have trouble in this field for many months. Commerce officials discount talk of cement shortages and believe these may be the result of temporary dislocations following the Supreme Court cement case decision. Cement production was up nine per cent in March over February.

Government experts think theatre builders may have to continue to pay premium prices for cast iron pipe.

Somervell May Head UK Control Group

LONDON, June 6.—R. G. Somervell, high-ranking official of the British Board of Trade, is generally regarded here as the most likely government appointee to head the all-important Control Committee which will administer the film tax agreement, scheduled to become effective on Monday, June 14.

F. W. Allport, Motion Picture Association of America representative here, is expected to be named to the committee as the American member. There is as yet no indication of the identity of other members of the committee.

The Control Committee is expected to reflect the authoritative government viewpoint on interpretation and application of the agreement and particularly in connection with every aspect of administration of the permitted uses of the American companies' blocked funds. Somervell played an important behind-the-scenes role in the negotiations leading up to the tax agreement.

29 Columbia Sales Officials Meet

Managers of 14 Columbia branches, 14 home office executives, and department heads, and five division managers will be present this morning at the Hotel Warwick, New York, for the opening of a five-day sales meeting, running through Friday, with A. Montague, general sales manager, presiding.

Also attending the meeting from the home office will be Rube Jackter,

(Continued on page 3)

Water in Theatres from Portland to Astoria, Ore.

PORTLAND, Ore., June 6.—The Pacific Northwest's worst flood in decades, seriously affecting grosses all over the area, has theatres submerged to varying degrees at all points from Portland to Astoria along the Columbia and Willamette rivers, besides theatres in Woodland, Kalama and Longview, Washington, and in many sections of British Columbia.

As previously reported, Ted Gamble's Vanport theatres were destroyed and subsequently the Amphi-Theatre at Meadows, Portland, was completely ruined.

Exhibitors plan a huge show to raise money for the 18,000 victims of Vanport who lost their homes and belongings.

Beiersdorf Named E-L Division Chief

Herman Beiersdorf has been named Southern division sales manager for Eagle-Lion Films, effective immediately, by William J. Heineman, distribution vice-president.

Beiersdorf will make his headquarters in Dallas and will supervise Dallas, New Orleans, Memphis, Charlotte, Oklahoma City, Atlanta, St. Louis, Kansas City, Des Moines, Omaha, Denver and Salt Lake City. A veteran in distribution posts at 20th Century-Fox and other companies, Beiersdorf joined Eagle-Lion in 1947 as Dallas manager, and later was made Southwestern district manager.

Opposition to U.S. Para. Case Order Likely

Counsel Also Consider Filing Own Proposals

Defense attorneys in the Paramount case probably will oppose all phases of the Government's proposed order with the exception of the non-controversial issues disposed of by the Supreme Court in its May 3 opinion, it was indicated following a conference of defense counsel here on Friday.

Actual strategy to be employed, however, was left in doubt when intimations were given that some attorneys still are considering the advisability of preparing their own form of a proposed order for court consideration.

Replies to the Government's proposed order, or a counter order by the defense, are due by Thursday. The Government has proposed a June 15 hearing in U. S. District Court here on the form of order to be entered in the case.

In addition to asking the entry of an order covering all issues decided by

(Continued on page 3)

Variety Mid-year Meeting Sept. 16-18

Robert J. O'Donnell, international chief barker of Variety Clubs, has called the mid-year meeting of the national canvassmen, international representatives and international officers for September 16-18 at the Statler Hotel in Washington.

Delegates will arrive in the capital on Thursday, September 16, and will

(Continued on page 3)

Music Hall Scales Now at $1.40 Top

Radio City Music Hall has increased its night admission scale from $1.25 to a new top of $1.40, and the matinee scale from 95 cents to $1.00.

The increases, first to be made by the Music Hall in the past several years, still leave scales at the Rockefeller Center show place lower than a number of other Broadway first-run houses, including some without stage shows. Increased operating costs are responsible for the boosts, which went into effect with the current engagement of "The Pirate," according to Russell Downing, executive vice-president.

Personal Mention

EDWARD LACHMAN, president of Allied Theatre Owners of New Jersey, will leave New York for Paris on Wednesday.

•

JOSEPH A. MCCONVILLE, Columbia International president, and MRS. MCCONVILLE; IRVING PICHEL, CLAUDE RAINS and his wife, and SIR RALPH RICHARDSON and LADY RICHARDSON are among passengers due here today from Europe on the *SS Queen Mary*.

•

LOIS BUTLER, star of Eagle-Lion's "Mickey," will be accompanied by guests of the company on a sight-seeing cruise around Manhattan Island Wednesday evening, with buffet supper to be served on board.

•

EDWARD F. O'CONNOR, regional director of the Far East for Loew's International, is due back in New York today from a six months' tour of his territory.

•

ROBERT SEIDELMAN, son of Universal-International executive JOSEPH H. SEIDELMAN and MRS. SEIDELMAN, has become engaged to PHYLLIS A. KENT of this city.

•

AL HORWITS, Eastern publicity manager of Universal-International, has gone to the Coast from New York for studio conferences.

•

MRS. HOWARD STRICKLING, wife of M-G-M's studio publicity chief, will arrive here from the Coast on June 14 en route to Europe.

•

SAM SHERMAN, Eagle-Lion booker in Atlanta, will be married to ANN POWELL in that city on June 26.

•

TOMAS FLORES, manager of the Warner exchange in Manila, arrived in Los Angeles over the weekend.

•

ROBERT F. PINSON, head of Astor Pictures in Charlotte, N. C., has returned there from New York.

•

OTTO KOEGEL, 20th Century-Fox general counsel, is due back in New York today from Hollywood.

•

B. G. KRANZE, Film Classics general sales manager, is due back in New York today from Pittsburgh.

•

ARTHUR HORNBLOW, M-G-M producer, and his wife left here over the weekend for the Coast.

•

GEORGE GLASS, vice-president of Screenplays, Inc., is due here today from Hollywood.

•

BEN KATZ, Universal-International Midwest publicity representative, is here from Chicago.

•

DON L. TURNER, Altec district manager in Atlanta, is in New York.

•

BRYAN FOY, Eagle-Lion producer, is here from the Coast.

Tradewise . . .

By SHERWIN KANE

THE one thing on which most responsible executives are agreed in connection with current business is that it has failed to measure up as yet to expectations of a few months ago.

There is no agreement on why that is so.

Eric Johnston last week referred to a "depression" in discussing what has been and is happening to the industry. He said the industry was through a depression "perhaps ahead of other industries and may find itself in a better position, later, than other industries."

But is it a depression? If so, it bears little family resemblance to what was referred to in 1933-1935 as a depression in the industry. But if it is so, it would seem necessary to revise that much-used economic motto, "The industry is the last to feel a business depression and the first to recover."

•

There are many who disagree with Johnston that a depression, or anything like one, confronts the industry. Their theories of what is wrong and how to cure it cover a wide range of territory.

Some blame it entirely on product, contending every picture is getting exactly what it merits and if, in sum toto that's not good enough, then neither is the product.

Nathan Yamins, veteran New England independent exhibitor, told MOTION PICTURE DAILY's Boston correspondent last week that 1947-48 product is the poorest he has seen during his many years in theatre business.

But one is left to wonder whether Yamins has been looking at the product or only at the gross reports of his theatres, and whether those others who place all the blame on product have actually seen it?

No one will dispute the fact that many pictures currently in release are inferior productions and poor box-office attractions despite the high negative costs attached to most of them. It is equally unsound to ignore the many good pictures either released or on the way.

If good attractions fail to pay off at the box-office, the exhibitor would do well to examine his own merchandising procedures before placing all of the blame on product. He might find many a good bet being missed; many a box-office hit being wasted merely because his organization is still living in the dream world of 1945 and 1946 when the only function that many an exhibitor who fancied himself a successful showman performed was "unlocking his doors and getting out of the way of the inrushing crowd."

By and large, current and forthcoming product is better than it was in those days. But has showmanship kept pace?

•

Others will place the blame on high admission prices. They are usually the ones who are acquainted only with uniquely high scales, within the confines of a single city or locality. They ignore completely the thousands of first-run theatres distant from the great metropolitan areas which today are scaled at 50 and 65 cents top adult, night admissions. Subsequent runs in those areas naturally are scaled downward from that level.

With operating costs what they are everywhere today, is it reasonable to make a blanket indictment of admission prices? Many scales in the largest of the nation's cities, neighborhoods as well as first-runs, are too high. In New York, in particular, they are in many instances high enough to discourage patronage and do discourage it to an indeterminate degree. But operating costs are relatively higher in New York than elsewhere and even top prices here cannot conveniently be reduced by any appreciable margin.

The evil of high scales lies in those relatively few operations which exploit the public. Reference is made to scales based not upon fixed policy but upon the old carnival tactic of taking the suckers for whatever the traffic will bear.

•

There appears no ready answer to what is wrong with business and what will cure it. High living costs reduce the entertainment budget, say some. The introduction of new forms of competitive entertainment and the better selling of older forms are hurting attendance, say others.

Everyone may be right, at least, in part. But it would be well to remember that the one combination in show business that never has been defeated is that happy team, a good show in the hands of a good showman.

Newsreel Parade

THE Columbia River flood and the Palestine war mark newsreel highlights. Events around the globe as well as sports and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 45.—Some 100,000 homeless as Columbia River gets on rampage. Tel Aviv bombed by air. India: Mahatma Gandhi assassin[illegible]rial. Italy: Marshall Plan grain arrive[illegible]. President Truman observes Memorial Day. James F. Byrnes and Senator Vandenberg honored by Columbia University. Auto racing. Boxing.

NEWS OF THE DAY, No. 279.—UN strives for truce to halt Palestine war. Marines sail for Europe's troubled zones. Columbia University honors statesmen. Berlin gets fight fever. Indianapolis speed classic. Northwest's greatest flood.

PARAMOUNT NEWS, No. 82.—Pacific Northwest hard hit by raging flood waters. South African election. Italy receives aid cargo from U. S. New stamp honors heroic clergymen. U. S. statesmen honored at Columbia University. French fleet on review. German boxing.

UNIVERSAL NEWS, No. 149.—Fighting continues in Palestine. Thousands homeless from Pacific Northwest floods. First ERP shipments arrive in Greece and Italy. Columbia University honors statesmen. Pineapple harvest in Puerto Rico. German boxing slugfest.

WARNER PATHE NEWS, No. 84.—Floods ravage Northwest. Queen Mary is 81 years old. Britain builds bitsy bike. Fishing census. Sports: U. S. and Germany. Great events: William Penn's treaty with the Indians.

Arthur Loew in New Pact with Loew's

Arthur Loew, vice-president of Loew's, Inc., in charge of foreign distribution, who recently had been reported to be considering leaving the company to engage in production, has been signed to a new long term contract under which he will continue in his present position.

Company officials declined to comment on details of the new pact but it was reported that a clause contained in his old contract permitting Loew to cancel it at his option, has been eliminated from the new agreement.

Urges Boycott of British Product

Sons of Liberty Boycott Committee, opening a "Boycott Britain" campaign here, because of British policy on Palestine, has started to picket theatres showing British films. Among the first to be picketed is the Trans Lux Eighty-fifth Street Theatre on Madison Avenue, New York, playing "I Know Where I'm Going," where pickets carry signs attacking the British.

Double-spread newspaper advertisements appearing in New York papers urged the public not to see British films and not to buy British goods.

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AA Will Not Road Show 'Babe Ruth'

Allied Artists has abandoned consideration of a roadshow policy for Roy Del Ruth's "The Babe Ruth Story." Decision was reached following discussion of the proposal at the company's recent sales conferences in Los Angeles and Chicago.

Recent Supreme Court condemnation of film price-fixing in the Paramount case, which outlaws advanced admission price policies for defendant companies, and could be used as a precedent by exhibitors against non-defendants adopting the policy, played no part in the decision not to roadshow the "Babe Ruth" picture, AA officials said. Consensus was that the best marketing method for the picture was to release it to exhibitors in the usual way, they stated.

N. J. TOA Meets in Asbury Park June 17

The New Jersey chapter of the Theatre Owners of America will hold its first annual convention at the Berkely-Carteret Hotel, Asbury Park, on June 17. Presiding will be Maury Miller, president of the chapter.

Invitations to attend have been extended to Robert W. Coyne, retiring executive director of the TOA; Gael Sullivan, his successor; Herman Levy, general counsel, and Stanley W. Prenosil, assistant executive director.

Tragedy Interrupts Final UTOI Session

LA SALLE, Ill., June 6.—The meeting of the United Theatre Owners of Illinois was interrupted by tragedy here on Friday when Mrs. Norma Metzger, 30, jumped to her death from the roof of the Kaskaskia Hotel. Mrs. Metzger was attending the meeting with her husband, Edward, affiliated with the Kerasotes theatre circuit. A suicide note was left.

Interim Committees For Video Council

Temporary committees and chairmen to function until the election of permanent officers of the National Television Film Council have been named by Melvin L. Gold, temporary chairman of the NTFC and National Screen Service advertising-publicity director. Committee chairmen are: Irwin Shane, by-laws; Myron Mills, film distribution; Robert Paskow, television stations; Jay Williams, programs, and Sally Perle, press relations.

20th-Fox Named in $1,000,000 Suit

DALLAS, June 6.—Suit for $1,000,000 against 20th Century-Fox has been filed here by Vera Blanch Edens, Dallas resident, who claims authorship of a musical scenario, "Hunters of the Promised Land," allegedly produced and released by the company as "Where Do We Go from Here?"

FitzPatrick to Talk

CHICAGO, June 6.—A luncheon-meeting sponsored by the Chicago Convention Bureau will be addressed at the Sherman Hotel here tomorrow by James A. FitzPatrick, M-G-M Travelogue producer. A feature will be a preview of his two one-reelers, "Night Life in Chicago" and "The City Beautiful."

'IA,' Sopeg to Argue

(*Continued from page* 1)

ship. UA has refused to deal with SOPEG, which represented the employes for six years, because that union has failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

H-63 officers are said to be confident that an early election date will be set at the meeting. However, because SOPEG has failed to file the non-Comunist affidavits, that union will not be eligible for appearance on the ballots, and it is expected therefore that SOPEG will seek a court injunction to postpone the election until the constitutionality of the Taft-Hartley Law has been decided. Courts which have been approached in this connection in the past, however, have declined to order permanent injunctions and have ordered instead temporary injunctions of only five to 10 days, it was said.

NLRB Meetings Next Monday on Universal Shop Election

Representatives of Universal, United World and Castle Films will confer at the National Labor Relations Board office here next Monday with Russell Moss, business agent of IATSE Local No. H-63 to determine a mutually satisfactory date for holding shop elections among "white collar" home office workers of those affiliated companies. Some 385 employes are involved.

A new contract is about to be negotiated between the companies and Moss who is seeking cost-of-living wage increases, and under the Taft-Hartley Law shop elections are required before negotiations can get underway. Present contracts expire on June 30.

Petrillo to Open AFM Annual Meet Today

ASBURY PARK, N. J., June 6.—James C. Petrillo, president of the American Federation of Musicians, will open the organization's convention at the Berkley-Carteret Hotel here tomorrow with his annual report.

Tuesday will be devoted primarily to committee work, and on Wednesday there will be addresses by U. S. Senator Wayne Morse of Oregon and AFM general counsel Milton Diamond. Principal business on Thursday will be nomination of officers.

Gov't Notice

(*Continued from page* 1)

have to be chosen to hear argument and issue the temporary order. He declared he thought Judge Hand could hear argument and act by himself, or could do it with Judge Goddard.

Orders have been prepared by the Government in the Schine and Griffith cases also, it is understood, but no dates have been fixed yet for presenting them to the Buffalo and Oklahoma District Courts.

Para. Case Order

(*Continued from page* 1)

the Supreme Court, the Government's proposed order, also due for filing Thursday, seeks interim relief in the form of a temporary injunction restraining defendants from acquiring theatres or changing their present holdings, pending the entry of a final decree in the case. The Supreme Court removed the lower court's ban on theatre expansion by defendants pending final determination of affiliated theatre divorcement.

Resume Shipments to Pakistan Dominion

The Motion Picture Association of American has received a cable from its Bombay representative reporting that U. S. film companies there had resumed shipments to Pakistan after that independent British dominion reduced what was described as a prohibitive tariff on film imports.

Shipments were halted last week when Pakistan raised the tariff to two annas, equivalent to 3¾ cents per foot. This has been cut to ½ an anna, or 15/16ths of a cent.

David Golding Joins Trans-Atlantic Films

LONDON, June 6.—David Golding, former American publicity contact here for Sir Alexander Korda's productions, has resigned that post to join Alfred Hitchcock's-Sidney Bernstein's Trans-Atlantic Pictures in a similar capacity. Golding will be U. S. press liaison for "Under Capricorn," second picture to be produced by Trans-Atlantic for Warner release, which will go into production here early next month.

Sues Over Soviet Footage

Suit for an injunction to compel Film Classics to withdraw "Will It Happen Again?" has been filed in New York Supreme Court by Artkino Pictures, the action being based on the allegation that incorporated in the picture about Hitlerism is newsreel footage produced in Russia, in violation of Artkino's exclusive rights to the distribution of all Soviet film in the U. S.

A Film Classics statement said that showing of the picture has brought "a storm of protests from Russian sources," to which FC president Joseph Bernhard added: "The truth hurts!"

Woolf Extends Tour

John C. Woolf, joint managing director of General Film Distributors, a J. Arthur Rank company in London, who is visiting Universal-International exchanges in Chicago, Milwaukee, Minneapolis and Kansas City, has extended his tour to Des Moines, Omaha, Denver, Los Angeles, Seattle and Portland.

Fabian Golf Tourney

Si Fabian and Sam Rosen have sent out invitations to Fabian Theatres' annual golf tournament and party, to be held at Preakness Hills Country Club, Wayne Township, N. J., June 24.

Variety Meeting

(*Continued from page* 1)

be given a reception by local Variety Club Tent No. 11.

On September 17 the group will meet in the Statler where matters carried over from the April convention will be discussed. Officers will make mid-year reports and discussions on new tent charters will be held.

On Sunday, September 19, delegates will see the annual charity football game sponsored each year by the Washington-Baltimore Tents to be held in Baltimore and, following the game, they will be guests of the Baltimore Tent at its clubrooms.

Arrangements have been completed under the direction of Carter Barron, first assistant international chief barker, for the annual Humanitarian Award dinner on September 18 at which Secretary of State George C. Marshall will receive the 1947 award which could not be presented to him during the Miami Beach convention due to the pressure of international affairs which made it impossible for him to be present.

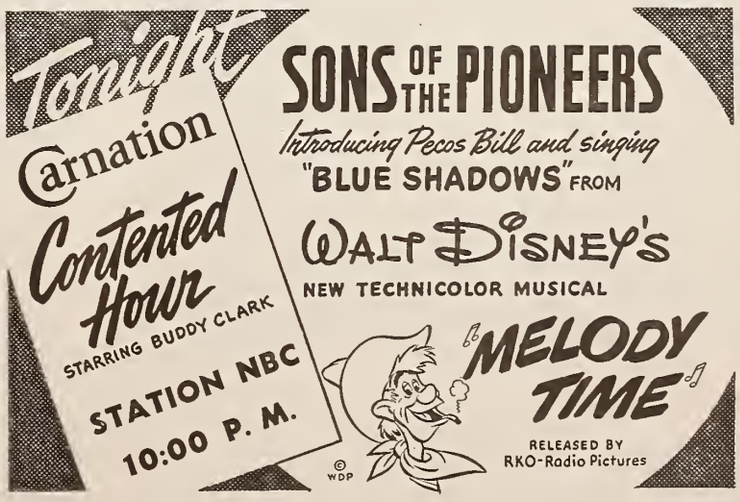
In announcing the dinner at the weekend, Variety heads John H. Harris and O'Donnell disclosed that it will be strictly stag and will be held in the Statler Hotel. In addition to the guest of honor, the dais will include top men in Government affairs, including Cabinet members. Representatives of foreign governments and others, including the heads of motion picture companies and their executives, will also be present.

Columbia Meeting

(*Continued from page* 1)

Louis Astor, Louis Weinberg, Irving Wormser, Maurice Grad, George Josephs, H. C. Kaufman, Joseph Freiberg, Seth Raisler, Vincent Borelli, Sydney Singerman, Irving Sherman and Irving Moross.

Present from the field will be division managers Nat Cohn, New York; Sam Galanty, Mideast; Carl Shalit, Central; I. H. Rogovin, New England; Harry Weiner, Southern New Jersey-Northern Pennsylvania, and managers Jack Bullwinkle, Albany; Tom O'Brien, Boston; Phil Fox, Buffalo; Allan Moritz, Cincinnati; Oscar Ruby, Cleveland; Ed Hochstim, Detroit; Guy Craig, Indianapolis; Harry Olshan, Milwaukee; Walter Silverman, New Haven; Saul Trauner, New York; Arthur Levy, Pittsburgh; C. D. Hill, St. Louis; Ben Caplon, Washington; Harvey Harnick, Toronto.



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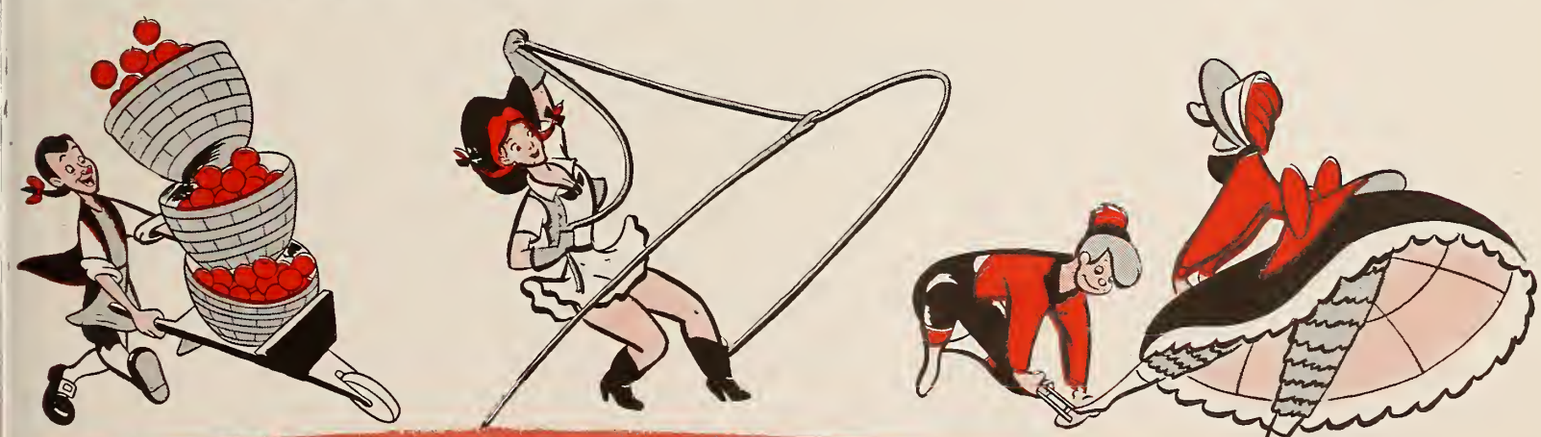

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Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

LOS ANGELES

The long holiday weekend was mighty kind to most exhibitors along the local first-run front, weather being ideal and sight-seers cramming the streets. "Emperor Waltz," opening in the wake of a super-colossal premiere, did business that would have been sensational in the boomingest days the oldest citizen here can remember. Estimated receipts for the week ended June 2:

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—GUILD (965) (50c-65c-85c-$1.00) 2nd week. Gross: $5,500. (Average: $7,100)

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—IRIS (708) (50c-60c-85c-$1.00) 2nd week. Gross: $6,000. (Average: $7,100)

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—RITZ (1,376) (50c-60c-85c-$1.00) 2nd week. Gross: $9,500. (Average: $10,300)

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox)—STUDIO (880) (50c-60c-85c-$1.00) 2nd week. Gross: $6,000. (Average: $6,900)

ALL MY SONS (U-I) and ARTHUR TAKES OVER (20th-Fox) — UNITED ARTISTS (2,100) (50c-60c-85c-$1.00) 2nd week. Gross: $10,200. (Average: $15,400)

B. F.'s DAUGHTER (M-G-M)—EGYPTIAN (1,000) (50c-60c-85c-$1.00) 2nd week. Gross: $10,000. (Average: $13,900)

B. F.'s DAUGHTER (M-G-M)—FOX-WILSHIRE (2,300) (50c-60c-85c-$1.00) 2nd week. Gross: $9,000. (Average: $13,800)

B. F.'s DAUGHTER (M-G-M)—LOS ANGELES (2,096) (50c-60c-85c-$1.00) 2nd week. Gross: $12,000. (Average: $21,200)

THE EMPEROR WALTZ (Para.)—PARAMOUNT (Downtown) (3,595) (50c-60c-80c-$1.00). Gross: $36,500. (Average: $21,000)

THE EMPEROR WALTZ (Para.)—PARAMOUNT (Hollywood) (1,407) (50c-60c-85c-$1.00). Gross: $25,500. (Average: $15,000)

FORT APACHE (RKO Radio)—HILLSTREET (2,700) (50c-60c-85c-$1.00). Gross: $36,000. (Average: $18,300)

FORT APACHE (RKO Radio)—PANTAGES (2,000) (50c-60c-85c-$1.00). Gross: $31,000. (Average: $17,300)

FOUR FACES WEST (UA-Sherman)—MUSIC HALL (Beverly Hills) (900) (65c-85c-$1.00) 2nd week. Gross: $2,200. (Average: $4,300)

FOUR FACES WEST (UA-Sherman)—MUSIC HALL (Downtown) (900) (65c-85c-$1.00) 2nd week. Gross: $7,000. (Average: $9,600)

FOUR FACES WEST (UA-Sherman)—MUSIC HALL (Hawaii) (1,600) (65c-85c-$1.00) 2nd week. Gross: $2,300. (Average: $5,200)

FOUR FACES WEST (UA-Sherman)—MUSIC HALL (Hollywood) (490) (65c-85c-$1.00) 2nd week. Gross: $2,200. (Average: $4,300)

GREEN GRASS OF WYOMING (20th-Fox) and THE COUNTERFEITERS (20th-Fox—Reliance) — CHINESE (2,300) (50c-60c-85c-$1.00) 6 days. Gross: $15,000. (Average: $15,700)

GREEN GRASS OF WYOMING (20th-Fox) and THE COUNTERFEITERS (20th-Fox—Reliance)—LOEW'S STATE (2,500) (50c-60c-85c-$1.00) 6 days. Gross: $22,500. (Average: $21,700)

GREEN GRASS OF WYOMING (20th-Fox) and THE COUNTERFEITERS (20th-Fox—Reliance—LOYOLA (1,265) (50c-60c-85c-$1.00) 6 days. Gross: $12,500. (Average: $10,000)

GREEN GRASS OF WYOMING (20th-Fox) and THE COUNTERFEITERS (20th-Fox—Reliance)—UPTOWN (1,716) (50c-60c-$1.00) 6 days. Gross: $11,000. (Average: $10,800)

THE LOST ONE (Col.)—FOUR STAR (900) (50c-60c-85c-$1.00) 6 days. Gross: $11,000. (Average: $11,400)

RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—BELMONT (1,600) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $5,000. (Average: $6,600)

RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—EL REY (861) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $5,000. (Average: $7,000)

RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—ORPHEUM (2,210) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $11,000. (Average: $14,300)

RAW DEAL (E-L) and ASSIGNED TO DANGER (E-L)—VOGUE (800) (50c-60c-85c-$1.00) 6 days, 2nd week. Gross: $6,000. (Average: $7,500)

SILVER RIVER (WB) — WARNERS (Downtown) (3,400) (50c-60c-80c-$1.00) 2nd week. Gross: $19,000. (Average: $16,300)

SILVER RIVER (WB)—WARNERS (Hollywood) (3,000) (50c-60c-80c-$1.00) 2nd week. Gross: $14,000. (Average: $12,400)

SILVER RIVER (WB)—WARNERS (Wiltern) (2,300) (50c-60c-80c-$1.00) 2nd week. Gross: $12,000. (Average: $12,600)

CLEVELAND

"Homecoming" and "Silver River" were the only new releases to attract business. Saturday-Sunday business was slow, picking up on Monday. Fine weather, baseball and outdoor attractions competed. Estimated receipts for the week ended June 2-3:

BERLIN EXPRESS (RKO Radio)—RKO PALACE (3,300) (55c-70c). On stage, Dr. I. Q., for a third week, on Monday nights only. Gross: $17,500. (Average: $15,500)

DUEL IN THE SUN (SRO)—LOEW'S OHIO (1,268) (50c-70c) 2nd week, on a moveover. Gross: $7,000. (Average: $6,600)

GREEN GRASS OF WYOMING (20th-Fox)—RKO ALLEN (3,000) (55c-70c). Gross: $11,500. (Average: $13,000)

HOMECOMING (M-G-M) — LOEW'S STATE (3,300) (50c-70c). Gross: $24,500. (Average: $19,500)

IRON CURTAIN (20th-Fox)—WARNER'S LAKE (714) (55c-70c) 3rd week on a moveover. Gross: $2,900. (Average: $3,000)

PANIC (Tricolore)—LOWER MALL (563) (50c-70c). Gross: $3,300. (Average: $2,500)

THE SAINTED SISTERS (Para.)—LOEW'S STILLMAN (1,900) (50c-70c). Gross: $8,500. (Average: $10,000)

SILVER RIVER (WB) — WARNERS' HIPPODROME (3,500) (55c-75c). Gross: $18,000. (Average: $18,250)

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Review

"Mine Own Executioner"

(Korda-20th Century-Fox)

THAT there are in a psychiatrist's daily routine the makings of interesting screen drama is demonstrated in "Mine Own Executioner," a well-turned story sent over from London by Alexander Korda. What sets this one apart is its freedom from the artificial plot premises that deprive most psychological thrillers of reality. The narrative proceeds leisurely and believably, at times taking tumultous turns, but not excessively so. Burgess Meredith is the one name for the marquee. Others in the cast are Kieron Moore (Count Vronsky in "Anna Karenina") and Dulcie Gray. Previous experience with British product should be a factor in evaluating it as box-office material.

In the course of his profession, Meredith finds himself treating personalities in all stages of maladjustment. Highlighted is a case history of a schizophrenic who eventually kills his wife and himself, and thus throws Meredith into a crisis with the courts. Along with difficulties with the patients, runs the story of Meredith's own life, in love with his wife, but infatuated with another woman.

The screenplay, fashioned by Nigel Balchin from his own novel, sees to it that things eventually turn out right. Bits on the soundtrack as well as some turns in the plot may run counter to the grain of some tastes. Anthony Kimmins directed and handled the production along with Jack Kitchin.

Running time, 105 minutes. Adult audience classification. Release date, July 7.

MANDEL HERBSTMAN

Reagan at Coast Meeting

KANSAS CITY, June 6.—Charles M. Reagan, distribution vice-president of Paramount, accompanied by E. K. O'Shea and Alfred Schwalberg, left here yesterday to attend a divisional sales meeting at the Fairmont Hotel in San Francisco, tomorrow through Wednesday. Reagan will then spend several days in Los Angeles before returning to New York.

Negro Film to Savini

R. M. (Bob) Savini, president of Astor Pictures has concluded a deal with Oscar Micheaux for what is described to be the first Negro road-show film. Entitled "The Betrayal," it is also said to be the first all-Negro feature to have been written, produced and directed by a Negro, Micheaux, from whose "Wind from Nowhere" novel the picture was taken.

ANFA To Hold Regionals

CINCINNATI, June 6. — First in a series of regional meetings of the Allied Non-Theatrical Film Association will be held on June 25-26 at the Netherlands-Plaza Hotel here, Jack Carter, president, announces. Alan Twyman and Ralph Haile will be co-chairmen of arrangements.

Graziano-Zale Bout Film

RKO theatres in Greater New York, Westchester, Newark, Union City, Trenton and New Brunswick will hold exclusive local showings Thursday of official pictures of the Rocky Graziano-Tony Zale middleweight championship bout to be held in Newark Wednesday night.

Picks 'Enchanted'

After considering more than 7,200 titles submitted from every state in the union as a result of his announcement that the title of the film made from Rumer Godden's "Take Three Tenses" would be changed, Samuel Goldwyn has selected "Enchanted" as the final title for the picture now in production.

Salt Lake Grosses Off

SALT LAKE CITY, June 6. — Warm weather, opening of resorts and other outside entertainment attractions have combined to cut theatre grosses in this area, according to several managers.

Coast Production Up One, to 37

HOLLYWOOD, June 6.—The production index stands at 37, moving up one from the previous week. Shooting started on nine new films, while eight were finished.

Shooting started on "Photo Finish," Columbia; "The Million Dollar Weekend" (Masque), Eagle-Lion; "Tucker's People," Enterprise; "The Last of the Badmen" (Allied Artists), Monogram; "Desperadoes of Dodge City," Republic; "Outlaw Valley" and "Baltimore Escapade," RKO Radio; "Jungle Goddess" (Robert L. Lippert), Screen Guild; "Family Honeymoon," Universal-International.

Shooting finished on "Blondie's Secret," Columbia; "Inside the Wall," Eagle-Lion; "The Babe Ruth Story" (Allied Artists), "Kidnapped," "High Tension" and "The Fighting Ranger," Monogram; "The Accused" (Wallis), Paramount; "Homicide for Three," Republic.

Crosby, Hope, Others Win 'Kilroy' Awards

Winners of the 10 "Kilroy" awards as a result of ballotting conducted among the American audience of American Forces Network in the U. S. occupation zone of Germany are: Bing Crosby, male vocalist; Jo Stafford, female vocalist; Henry Morgan, comedy program; "Suspense," dramatic; "20 Questions," quiz; "Science Magazine of the Air," educational; Fred Waring, musical program; Vaughn Monroe, orchestra; Bob Hope, comedian, and Joan Davis, comedienne.

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NEW YORK, N. Y.

SAG Plans to Resume Studio Pact Parleys

Says Earlier Talks Broke Down on Video Provision

HOLLYWOOD, June 7. — Interrupted negotiations between the Screen Actors Guild and major producers for a contract to supersede the pact which expires on July 31 will be resumed "shortly," the SAG board has disclosed in a report to its membership.

The report reiterates an earlier statement that talks broke down because the studios refused to bargain with the guild concerning player rights in films subsequently televised, and declares that the producers recognized this principle in its contract with the American Federation of Musicians two years ago.

The board added that the guild is willing to negotiate a separate contract covering the use of films in television.

UA Stand on Sopeg To NLRB Thursday

Harry D. Buckley, United Artists vice-president, will present to the National Labor Relations Board here on Thursday the company's reasons for refusing to deal with CIO's Screen Office and Professional Employes Guild, namely, because SOPEG, which represented the employes since 1942, has failed to comply with the non-Communist affidavit provisions of the National Labor Relations Act of 1947. Buckley will be a party to an

(*Continued on page* 9)

Montague Lists 15 New Productions

Delegates to Columbia's five-day branch and district manager's meeting, currently in session at the Hotel Warwick here yesterday heard A. Montague, general sales manager, outline sales and liquidation plans for the 15 productions currently in release and forthcoming.

Montague listed "The Fuller Brush Man," "Coroner Creek," "The Loves of Carmen," "Lulu Belle," "The Black Arrow," "The Return of October," "The Wrangler," "FBI Meets Scotland Yard," "Undercover Man," "The Walking Hills," "The Gallant Blade," "Let's Fall in Love," "Winner Take Nothing," "The Strawberry Roan" and "The Big Sombrero."

B'way Grosses Running Mild

Grosses are very moderate at Broadway first-runs this week. Only Radio City Music Hall, where "The Pirate" and a Leonidoff stage presentation share the bill, is enjoying better-than-average business. Holdovers, which are predominant, found new pictures offering only mild competition.

On the basis of $79,000 taken in on Thursday through Sunday, the third week of the Music Hall program is expected to produce a good $121,000. At the Capitol, "The Bride Goes Wild" plus Woody Herman's band on stage, bowed in fairly strong, with $66,000 estimated for the first week.

(*Continued on page* 9)

WB Publicists Get Retroactive Raise

Wage increases for publicity, advertising and exploitation employes at the New York home office of Warner Brothers have been awarded to the Screen Publicists Guild, Local No. 114, UOPWA-CIO, by a board of arbitrators under the voluntary labor arbitration rules of the American Arbitration Association. The increases, which are retroactive to Sept. 27, 1947, the date specified in the contract between the guild and the companies for wage reopening, follow the industry pattern established previously

(*Continued on page* 9)

Reagan Presides at Final Sales Meeting

SAN FRANCISCO, June 7.—Climaxing the series of Paramount's five divisional sales meetings in advance of the 1948-49 season, a three-day meeting for Western division branch representatives started here today at the Fairmont Hotel under direction of Charles M. Reagan, distribution vice-president. The meeting is preparing the ground work for next season's product and policies and discussing

(*Continued on page* 10)

20th-Fox Files for Third Video Station

WASHINGTON, June 7.—Twentieth Century-Fox today asked the Federal Communications Commission for permission to operate a television station in Seattle. Twentieth already has in one bid for a Boston video station, and the newly-organized 20th of California has asked for a station at San Francisco.

High Court Cites Decision to Others

Washington, June 7. — The Supreme Court today made it plain that the Paramount, Schine and Griffith opinions will have to be studied by lots of lawyers outside the motion picture field, as well as by film counsel.

An opinion on a Government anti-trust case against U. S. Steel was loaded with citations from the court's three film opinions, and the court indicated it would continue to rely heavily on these three decisions in its future interpretations of the Federal anti-trust laws.

F.B.I. Is Probing Unauthorized Shows

The Federal Bureau of Investigation has been conducting a drive against unauthorized 16mm. showings during the past two years throughout the U. S., particularly with regard to 16mm. prints donated by the industry to entertain the Armed Services overseas, it is understood.

Henry L. Brook and Joseph Albino pleaded not guilty in Brooklyn Federal Court yesterday before U. S. Judge Harold M. Kennedy to a six-count indictment charging them with infringement of copyrights in four motion pictures. Involved are "Gilda," Columbia; "Leave Her to Heaven," 20th-Fox; "Bad Bascomb," M-G-M; and "Murder in the Music Hall," Republic. The indictment was handed down on May 27th by a Federal Grand Jury.

High Court Turns Down Tivoli Case

WASHINGTON, June 7. — The Supreme Court today refused to review a lower court decision allowing Tivoli Realty, Inc., to prosecute in Wilmington District Court its treble-damage anti-trust suit against Interstate Circuit, Texas Consolidated Theatres and seven major distributors.

The court did not give any reasons for its decision, but it was obviously made in conformance with an opinion in a Government anti-trust suit against three bus lines and their suppliers. In a decision that may have great importance for distributors facing many more damage suits, the court there ruled that as long as a defendant is doing business in the court district

(*Continued on page* 10)

See Producers Facing AFM Wage Hike Bid

Petrillo Sets the Mood; Wants an Early Meeting

ASBURY PARK, June 7. — Many of the delegates attending the opening session today of the American Federation of Musician's convention at the Berkeley-Carteret Hotel here read into president James C. Petrillo's annual report a bid for wage increases for the several hundred motion picture studio musicians in the U. S. and Canada. The Hollywood studios' contract with the AFM will expire on Aug. 31, and J. W. Gillette, AFM's international studio representative, who is here from Los Angeles, said yesterday that he and Petrillo "are anxious to meet soon with the producers' committee on the basic studio agreement."

Petrillo told the convention that,

(*Continued on page* 9)

Coast Trial Delayed For US Suit Ruling

LOS ANGELES, June 7.—U. S. District Court here today granted a Paramount plea for postponement of trial in its case against Partmar Corp. and Fanchon and Marco for recovery of possession of the Downtown Paramount Theatre. The court's action suspends the case pending final decision in the Government's industry anti-trust suit, according to F. and M. counsel, but does not affect the treble-damage counter-suit filed by Partmar and F. and M. which seeks $4,500,000.

'News' Will Reject Ads in Bad Taste

"Increasingly concerned with the type of material submitted for publication of late," the *New York Daily News* advertising department "is adopting a clean-up policy in the cinema line by rejecting ads of dubious character. Copy that doesn't adhere to the dictates of good taste and accuracy is getting the blue pencil or the wastebasket. Evoking the campaign were certain ads pertaining to foreign films," the *News* said.

French Film Official Feted by MPAA Here

Motion pictures, "even more than the press or radio, can show to the people of the world that the greater number of people are working for us to attain peace, and that only through the United Nations can they attain such a peace," Georges Huisman, chairman of the UN's French committeen on motion pictures, declared here yesterday. Huisman, who is also head of the French film censoring office, was guest at a luncheon given by the Motion Picture Association of America at the Harvard Club.

His remarks, which were in French, were translated by Gerald Mayer, director of the MPAA international division.

Huisman arrived here two weeks ago to consult with Jean Benoit-Levy, UN director of motion pictures, on what service the film industry can render to the UN. "During the last few days," he said, "we have worked on the ideas of what we should collaborate on. We found complete unanimity with American ideas."

Francis Harmon, MPAA vice-president, and Benoit-Levy also addressed the group. The luncheon guests stood in respect to Louis Lumiere, French film pioneer, who died Sunday.

Also present were: John J. O'Connor, Russell Holman, Jacob Wilk, Tom Connors, Gael Sullivan, Stanley Prenosil, F. W. DuVall, Theodore Smith and Maurice Liu and William Wells of the UN film division.

Senate Group Rejects 'As-Is' Trade Pact

WASHINGTON, June 7.—The Senate Finance Committee today rejected Democratic moves for "as-is" extension of the Reciprocal Trade Agreements Act. By a party-line vote, the committee turned down motions for one-year, two-year and three-year extensions.

The committee is expected to vote out a bill tomorrow, providing a one-year extension with substantial power given to the tariff commission, but minus the Congressional "veto" provision in the House bill. Industry leaders have favored a three-year extension of the act in its present form.

Lang to Use Nassour

HOLLYWOOD, June 7.—Fritz Lang, who recently acquired Diana Pictures from Walter Wanger and Joan Bennett, will place the company's "Winchester 73" before the cameras at Nassour Studios by July 1. Following abrogation of the releasing deal with Universal-International by mutual agreement, Diana is now seeking a new outlet.

Loew Foreign Party

Loew's International will be host at a cocktail party at Sardi's here tomorrow for Ed O'Connor, regional director in the Far East, who has just returned to the home office after seven months in his territory. Orton Hicks, head of the company's 16mm. division, who returned recently from Europe, may also attend.

Personal Mention

JOSEPH I. BREEN of the Production Code Administration, Hollywood, arrived here yesterday from the Coast and Washington.

•

FREDERICK HODGSON, recently with Paramount's home office publicity staff, has been named public relations director for the New York Tuberculosis and Health Association.

•

DOROTHY DOLORES PAYETTE, daughter of Warner's Washington zone manager, JOHN PAYETTE, was married on Saturday in Washington to CHARLES KEMP DEVEREUX.

•

GRADWELL L. SEARS, United Artists president, and PAUL LAZARUS, JR., advertising-publicity head, have returned to New York from the Coast.

•

JOCK LAWRENCE, vice-president of the J. Arthur Rank Organization of the U. S., and MRS. LAWRENCE will leave here tomorrow for London.

•

WILLIAM E. OSBORNE, Monogram Far East and Middle East representative, has left Los Angeles by plane for a tour of his territory.

•

FRANK ROSENBERG, producer of "Man-Eater of Kumaon," is scheduled to leave here today for the Coast.

•

BERNARD J. GATES, Monogram Latin American supervisor, is in Mexico City from Cuba.

•

HARRY A. SIMONS, M-G-M field auditor, is in Charlotte from New York.

•

IRVING ASHER, Warner executive in London, is in town from the Coast.

•

JACK L. WARNER is scheduled to sail for Europe on June 25.

•

PAUL BRODER, Realart president, is here from Hollywood.

SPYROS P. SKOURAS, 20th Century-Fox president, and MURRAY SILVERSTONE, international distribution chief, will fly to London tomorrow from here.

•

LT. COL. JACK F. DAILEY, administrative assistant at Radio City Music Hall, New York, is attending a two-week conference of reserve officers attached to the office of Selective Service Records in the Eastern states at Camp Kilmer, N. J.

•

ERIC JOHNSTON, Motion Picture Association of America president, arrived here yesterday from Washington. He was accompanied by his executive assistant, JOYCE O'HARA, who returned to Washington later in the day.

•

OSCAR DOOB, Loew theatre executive, and HARRY MOSKOWITZ, Loew engineering chief, left here yesterday for Toronto and London, Ontario. They are due back tomorrow.

•

TOM WALLER, New York publicity director for the Motion Picture Association of America, is on a week's vacation.

•

NEIL F. AGNEW, Selznick Releasing Organization president, is back in New York from the Coast.

•

VINCENT SHERMAN, Warner director, will return to the Coast this weekend from New York.

•

ALEX EVELOVE, Warner studio publicity chief, will leave here Thursday for Burbank.

•

JACK KARP of the Paramount studio staff and his wife are here from Hollywood.

•

E. Z. WALTERS, Altec comptroller, has returned to the Coast from New York.

'Muddled' Situation In UK: McConville

The situation in England was characterized as "muddled" yesterday by Joseph A. McConville, president of Columbia Pictures International Corp., who pointed out that the British are still in the throes of straightening out the tax agreement. McConville returned here yesterday on the *S.S. Queen Mary*. Other passengers included Irving Pichel, director, and Claude Rains.

McConville asserted that American film business is picking up on the Continent. He also pointed out that it would take another three or four months before American films reach British screens en masse because circuits are booked that far in advance.

Legion Rates 4 Films

Eagle-Lion's "Assigned to Danger" and "Close-Up" and 20th Century-Fox's "Escape" have been classified A-II by the National Legion of Decency. M-G-M's "Easter Parade" was rated A-I.

Favor $15 Millions For ERP Film Plan

WASHINGTON, June 7.—The Senate Appropriations committee is expected to be considerably kinder to the $15,000,000 film information and other media funds in the European Recovery Program appropriations bill than was the House, but the House still may get its way on cuts in conference. Several members of the committee said they thought the committee should vote the full $15,000,000 and other senators said they would attempt to get this voted on the Senate floor if the committee did not grant it.

The Senate group hopes to complete hearings on the bill this week, and report the measure out Saturday or early next week.

Preview for Explorers

"Man-Eater of Kumaon," the Monty Shaff-Frank Rosenberg production, will be given an invitational preview by Universal-International at the Park Avenue Theatre here on June 15 for the Explorers' Club.

Sullivan Reports At TOA Headquarters

Gael Sullivan, formerly executive director of the Democratic national committee, who resigned to take over the same position with Theatre Owners of America, reported yesterday at TOA headquarters here. He attended the meeting of the United Theatre Owners of Illinois at LaSalle, Ill., last week, and is scheduled to speak at the first annual convention of the New Jersey TOA, to be held June 1-2 at the Berkeley-Carteret Hotel in Asbury Park. Sullivan will also attend the June 20-23 meeting of the Theatre Owners of North and South Carolina at Myrtle Beach, S. C.

Robert W. Coyne, retiring TOA executive director, who this week is on a Midwest lecture tour as special consultant to the U. S. Treasury, will continue at the TOA office until Sullivan has familiarized himself with the post.

Canada Theatre Burns

OTTAWA, June 7.—The St. Jacques Theatre at Thurso has been seriously damaged by fire believed to have been started by spontaneous combustion in a neighboring store.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

PAULETTE GODDARD
MACDONALD CAREY
"HAZARD"
A Paramount Picture
PARAMOUNT TIMES SQUARE
IN PERSON THE KING COLE TRIO plus KAY STARR • PAT HENNING THE FOUR EVANS from RAY ANTHONY And His Orchestra
MIDNIGHT FEATURE NIGHTLY

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

ERROL FLYNN
ANN SHERIDAN
"SILVER RIVER"
IN PERSON
EDDY DUCHIN
AND HIS ORCHESTRA
and ARTIE DANN
WARNER BROS. STRAND
OPENS 9:30 AM B'WAY AT 47th
LATE MIDNIGHT FILM

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STORM OVER HOLLYWOOD?..... Who says so?

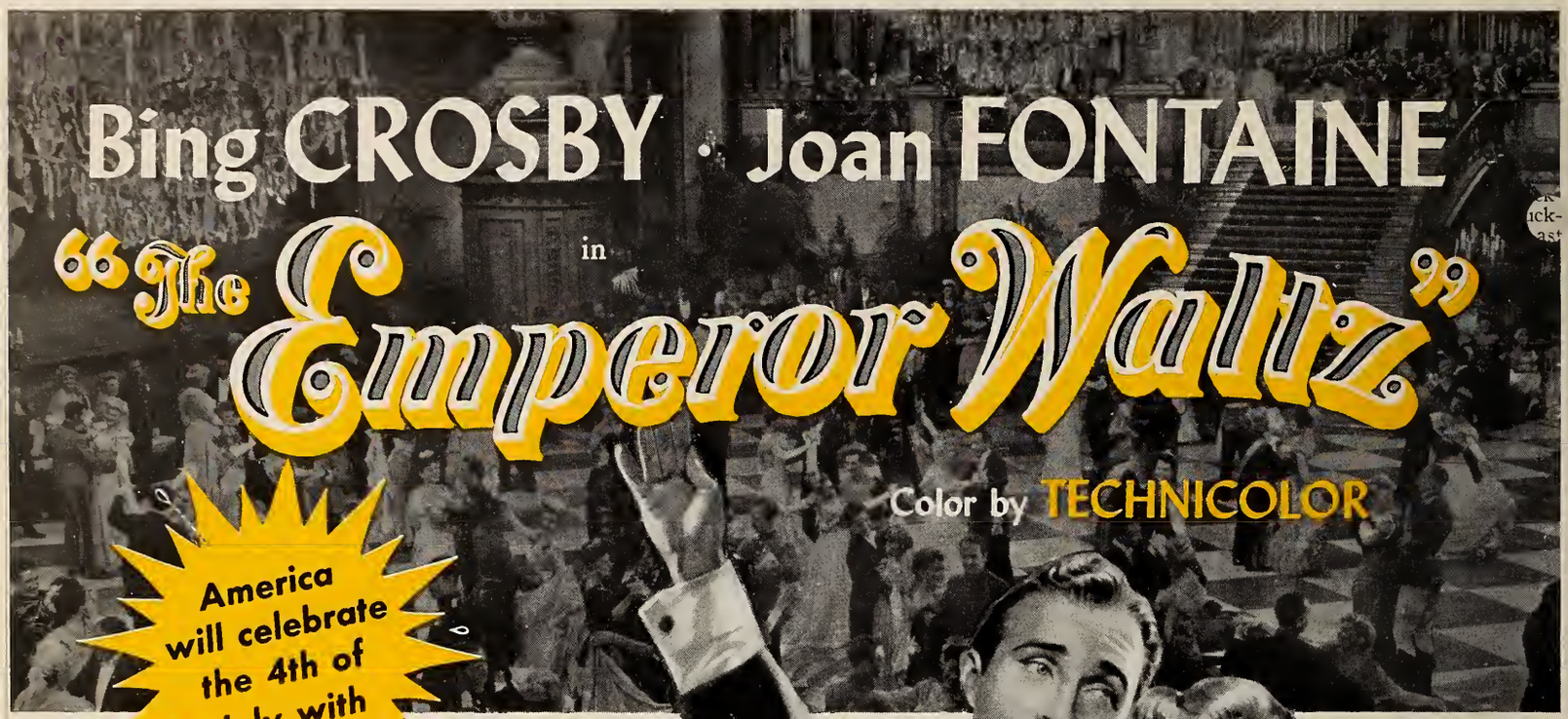
The Official Forecast is: "The Greatest Motion Pictures in Years Are Coming from *All* Studios." And the Most Persuasive Proof of All Is Coming From the *Paramount* Studio on the Crest of

a sizzling

SUMMER HIT WAVE

From Paramount...

Imagine All These Great Pictures



America will celebrate the 4th of July with

The new-look, king-size musical combining the talents of 7 Academy Award Winners. Brackett & Wilder — plus Paramount — have made it Bing's most novel and magnificent vehicle. He's a Yankee salesman, selling a scandalous bill of goods to a kissable countess—with five rousing love songs.

First trade prediction in Film Daily says "It's going to kick its heels into the season's big boxoffice money"—and you can watch this come true at its Hollywood World Premiere, followed soon by the Eastern Premiere at Radio City Music Hall.

with

ROLAND CULVER · LUCILE WATSON
RICHARD HAYDN · HAROLD VERMILYEA

Produced by Charles Brackett
Directed by BILLY WILDER
Written by Charles Brackett and Billy Wilder

Between July Fourth and Labor Day.....

It Takes 4 Handsome Guys With a Gleam in Their Eyes To Make Her Dreams Come True...

The Lady is a Dream...
The Gentleman is a Wolf...
The Picture is a Hit
Every Bit as Gay as the Play!

• • •

Betty Macdonald

HUTTON · CAREY

in

"DREAM GIRL"

with

PATRIC KNOWLES · VIRGINIA FIELD
WALTER ABEL · PEGGY WOOD

A Mitchell LEISEN Production
Produced by P. J. WOLFSON
Directed by MITCHELL LEISEN
From the Play by Elmer Rice

Already It's the Talk of the Trade!

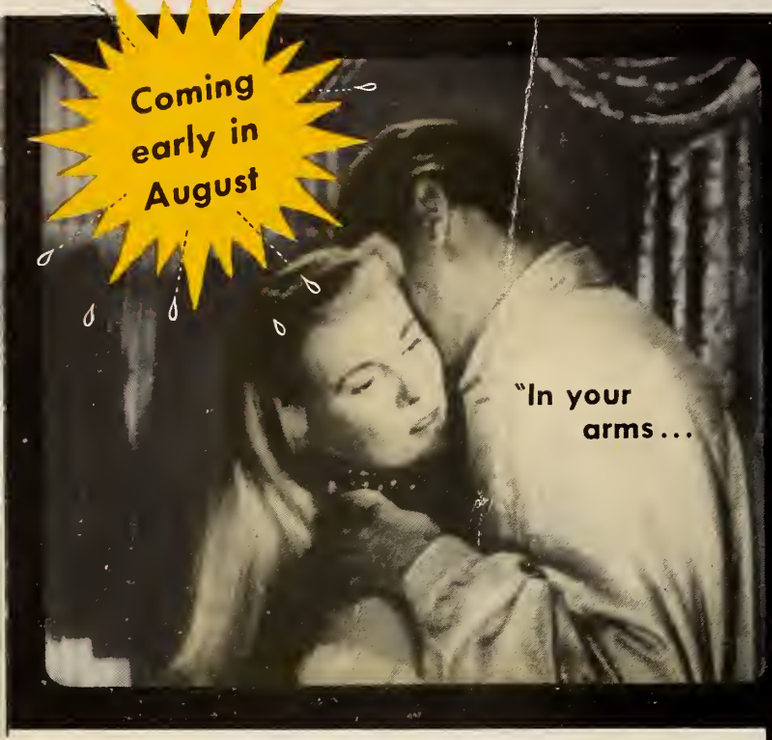
"A sure winner, this version of Elmer Rice's smash play!"—says Variety

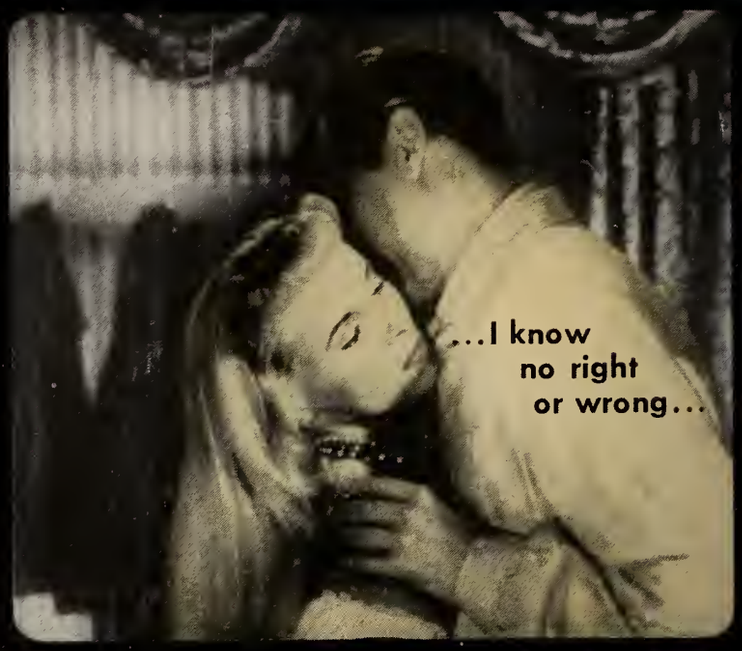
"A-1 comedy will be the same success it was on the stage."—says Hollywood Reporter

"A landslide of coin—let out all the stops!"—says Showmen's Trade Review

She's the Rage of the Stage as a Diva!
She's the Topic of the Tropics in a Dive!
She's a Singing Sister in a Honkytonk!
She's the greatest Hutton character you've ever seen playing *all* these different roles!

Do You Remember Any Such Wealth of Hits





From a bold best-seller, based on an amazing true case. A good woman suddenly swept away from all the standards she lived by—into a fury of infatuation so overpowering she would lie, steal—yes *murder*—to hold the love of a worthless rogue. This is Paramount's finest romantic drama since "To Each His Own."

• • •

RAY **MILLAND** · ANN **TODD**

(By courtesy of J. Arthur Rank)

GERALDINE **FITZGERALD**

in HAL WALLIS' production

"So Evil My Love"

with Leo G. Carroll · Raymond Huntley
Martita Hunt · Raymond Lovell
Moira Lister · Roderick Lovell

Directed by LEWIS ALLEN

Screenplay by Leonard Spigelgass and Ronald Millar

Based on a novel by Joseph Shearing

From Any Company in Any 2-Month Period?

And another tremendous August attraction...

JEAN ARTHUR
MARLENE DIETRICH
JOHN LUND

in

"A Foreign AFFAIR"

with

Millard Mitchell

Produced by CHARLES BRACKETT

Directed by BILLY WILDER

Screenplay by Charles Brackett, Billy Wilder and Richard Breen

Adaptation by Robert Harari • Original Story by David Shaw
Music and Lyrics by Frederick Hollander

It's BRACKETT & WILDER'S entry for the romantic comedy hit-of-all-time award. And they've brought back JEAN ARTHUR in a role recalling the hilarity of "The More the Merrier."

MARLENE DIETRICH at her sultriest, and singing again the kind of songs that made her famous!

JOHN LUND now proves himself the great star you knew he'd be. He's marvelous as the man-in-the-middle...between a career woman and a woman whose career is love. Just listen to any sneak preview audience and you'll realize what kind of a hit it is . . .

Climaxed By This Terrific Paramount-Week Attraction

A radically new departure from previous Ladd pictures . . . to give full dramatic opportunity to the star exhibitors put in the Top 3 in every poll.

• • •

ALAN LADD and DONNA REED

in

"BEYOND GLORY"

with

GEORGE MACREADY · GEORGE COULOURIS
HAROLD VERMILYEA · HENRY TRAVERS

Produced by Robert Fellows

Directed by JOHN FARROW

Original Screenplay by Jonathan Latimer, Charles Marquis Warren and William Wister Haines

The stirring story of a man caught in the restlessness of our postwar generation—a man who meets the wife of the friend he believes he has murdered. Through her he learns a courage beyond glory. A completely *different* Ladd picture and unquestionably his greatest!

• • •

"SUMMERTIME, AND THE LIVIN' IS EASY"—WITH

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CINCINNATI

Minus signs are the rule rather than the exception in the current week's lineup for both new arrivals and holdovers, with record hot weather predominating. Estimated receipts for the week ending June 8:

ADVENTURES OF CASANOVA (E-L)—KEITH'S (1,500) (50c-55c-60c-65c-75c) 7 days, dualed with **THE RETURN OF RIN TIN TIN (E-L).** Gross: $5,000. (Average: $7,500)

ANOTHER PART OF THE FOREST (U-I)—RKO PALACE (2,700) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $9,500. (Average: $15,000).

FORT APACHE (RKORadio) — RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 3 days, 4th week, following an opening week at the Albee and two moveover weeks at the Lyric.

BRIDE OF FRANKENSTEIN (U-I reissue)—RKO LYRIC (1,400) (50c-55c-60c-65c-70c-75c) 4 days, dualed with **SON OF FRANKENSTEIN (U-I reissue).** Combined gross: $5,500. (Average, 7 days, $5,000)

FULLER BRUSH MAN (Col.) — RKO SHUBERT (2,150) (50c-55c-60c-65c-70c-75c) 7 days, 3rd week, following an opening week at the Albee, and a moveover week at the Shubert. Gross: $8,000. (Average: $5,000)

HOMECOMING (M-G-M) — RKO CAPITOL (2,000) (50c-55c-60c-65c-70c-75c) 7 days, 2nd week. Gross: $11,000. (Average: $10,000)

PANHANDLE (AA)—RKO GRAND (1,500) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $7,500. (Average: $8,000)

SILVER RIVER (WB) — RKO ALBEE (3,300) (50c-55c-60c-65c-70c-75c) 7 days. Gross: $13,000. (Average: $15,000)

BALTIMORE

Between holdovers and the lack of major new attractions at downtown first-run houses, this week's attendance slips back to below average at most houses. For the previous several weeks, figures had scored some encouragement. What openings were held proved feeble and weekend business failed to help much. Estimated receipts for the week ending June 10:

ANNA KARENINA (20th-Fox) — NEW (1,800) (29c-40c-50c-58c). Gross: $12,500. (Average: $11,750)

NINOTCHKA (M-G-M Reissue)—VALENCIA (1,466) (29c-37c-45c-54c) and 56c) weekends). Gross: $4,500. (Average: $5,000)

HOMECOMING (M-G-M) — CENTURY (3,000) (29c-37c-45c-54c and 45c weekends) 2nd week. Gross: $13,000. (Average: $14,500)

RUTHLESS (E-L) — TOWN (1,450) (29c-37c-56c). Gross: $11,500. (Average: $12,000)

SILVER RIVER (WB)—STANLEY (3,280) (29c-37c-50c-58c) 2nd week. Gross: $12,000. (Average: $14,500)

STORY OF TOSCA (Scalera-Era)—LITTLE (328) (29c-37c-56c). Gross: $3,000. (Average: $3,000)

THE HUNTED (AA) — MAYFAIR (1,000) (21c-29c-54c) Gross: $4,750. (Average: $5,000)

WILL IT HAPPEN AGAIN? (Film Classics)—KEITH'S (2,406) (25c-37c-44c-54c and 56c weekends). Gross: $8,000. (Average: $12,000)

WRECK OF THE HESPERUS (Col.)—HIPPODROME (2,205) (29c-37c-50c-58c) With a stage show. Gross: $17,000. (Average: $17,000)

ATLANTA

Business is somewhat off, on account of many outdoor attractions and hot and close weather. Estimated receipts for the week ending June 9:

ALL MY SONS (U-I)—LOEW'S GRAND (2,446) (12c-60c). Gross: $13,000. (Average: $14,000)

FORT APACHE (RKO Radio)—ROXY, on a moveover from the FOX (2,446) (12c-50c). Gross: $5,700. (Average: $5,800)

THE IRON CURTAIN (20th-Fox) — FOX (4,446) (12c-50c). Gross: $15,000. (Average: $14,000)

WINTER MEETING (WB) — PARAMOUNT (2,446) (12c-50c). Gross: $5,800. (Average: $5,800)

TORONTO

For the first time in months there were no holdovers at key theatres in Toronto, probably on account of warm and rainy weather, horse racing, an international trade fair, baseball and other distractions. Two of the newer first-runs had double bills for the first time. Estimated receipts for the week ending June 10:

APRIL SHOWERS (WB)—NORTON (950) (20c-36c-42c-60c) 6 days. Gross: $6,500. (Average: $6,500)

APRIL SHOWERS (WB) — VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $5,800. (Average: $6,300)

ARCH OF TRIUMPH (UA) — LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days. Gross: $16,200. (Average: $14,200)

THE LADY FROM SHANGHAI (Col.)—(2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $15,900. (Average: $14,900)

LOVE FROM A STRANGER (Intl.) and HEADING FOR HEAVEN (Intl.)—DANFORTH (1,400) (20c-35c-50c-60c) 6 days. Gross: $6,300. (Average: $6,500)

LOVE FROM A STRANGER (Intl.) and HEADING FOR HEAVEN (Intl.)—FAIRLAWN (1,195) (20c-36c-50c-60c) 6 days. Gross: $5,300. (Average: $5,500)

THE MIRACLE OF THE BELLS (RKO Radio) — IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $16,100. (Average: $14,600)

RIVER LADY (U-I) — UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $10,600. (Average: $11,600)

TEMPTATION HARBOR (Intl.)—EGLINTON (1,086) (20c-36c-50c-66c) 6 days. Gross: $6,900. (Average: $7,400)

TEMPTATION HARBOR (Intl.)—TIVOLI (1,434) (20c-36c-50c-66c) 6 days. Gross: $8,200. (Average: $9,200)

Coast to coast and overseas, fly world-proved TWA

One airline, TWA, takes you to principal U. S. cities or to Ireland, Paris, Egypt and other key points in Europe, Africa and Asia. When you go, fly by dependable TWA Skyliner with crews seasoned by millions of trans-world miles.

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TRANS WORLD AIRLINE
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3-Week RCA Vacations

What was described as the first union contract in the mass production industries providing three-week vacations after 10 years' employment has been agreed upon by the Radio Corporation of America and the United Electrical, Radio and Machine Workers, CIO. The agreement covers 10,000 workers in four RCA plants, at Hollywood, Camden, Lancaster, Pa., and Pulaski, Va.

Broadway Grosses

(*Continued from page* 1)

"Hazard," paired with the King Cole Trio on stage at the Paramount, is expected to gross a mild, though satisfactory, $65,000 in a first week. Another newcomer, "The Challenge," is heading for a so-so $4,800 in its first week at the Park Avenue.

The following, in second weeks, are playing to fair-to-mild business: "Melody Time," Astor, $30,000; "Up in Central Park," Criterion, $15,000; "Citizen Saint," Bijou, $5,200; "Time of Your Life," Mayfair, $35,000, "Noose Hangs High," Loew's State, $16,000. "The Lady from Shanghai" will take over at the Criterion tomorrow, and "Summer Holiday" will bow in at the State on Friday.

Third-week films are expected to perform as follows: "Another Part of the Forest," Rivoli, $15,000 (mild); "Silver River," plus Eddie Duchin's band on stage, Strand, $36,000 (mild); "Berlin Express," Victoria, $13,000 (mild); "River Lady," Winter Garden, $8,000 (low). "Wallflower" will move into the Strand on Friday, "Design for Death" will take over at the Victoria on Thursday, and "Bad Sister" will be the new Winter Garden tenant as of tomorrow.

"The Iron Curtain," plus an Ed Sullivan revue on stage, at the Roxy, has fallen off to a low $45,000 in a fourth and final week; "The Green Grass of Wyoming" will take over there tomorrow. "Arch of Triumph" is so-so in its seventh week at the Globe, with $15,500 expected. Fourth week of "Will It Happen Again?" at the Rialto is expected to bring a satisfactory $8,000.

WB Publicists

(*Continued from page* 1)

in the arbitration of wage increases between the Guild and 20th Century-Fox, and in direct negotiations between the guild and Eagle-Lion, according to SPG.

Senior publicists will receive a $20 weekly increase; publicists, $15; associate publicists, $10, and apprentices, $5.50, with new minimum pay scales set at $125, $87.50, $62.50, and $40.

The arbitrators were Mitchell M. Shipman, impartial chairman; Aaron Schneider, regional director of the UOPWA, and E. K. Hessberg of Warner Brothers.

NLRB Charge Dismissed

HARTFORD, June 7.—The National Labor Relations Board charges of "featherbedding" against Local No. 400 of the American Federation of Musicians, were dismissed over the weekend by trial examiner C. W. Witmore. Accompanying the dismissal in the State Theatre case was the granting of a request by the theatre to withdraw charges against the musicians' union. Notification by the examiner of the closing incident in the dispute was given to Harold Strauch, union counsel, following a union agreement to modify its contract.

AGVA to Elect Officers

Ballotting will get under way shortly for executive officers and 45 national board members of the American Guild of Variety Artists, an affiliate of the Associated Actors and Artistes of America. AGVA held its first convention here over the weekend. A constitution barring from elective or appointive office Communists or Fascists was adopted by the delegates.

Producers, AFM

(*Continued from page* 1)

before the advent of sound, musicians in theatres of the U. S. and Canada earned $48,000,000 yearly, whereas such musicians, now numbering only 1,222, earn $5,000,000 annually. Pointing out that "Hollywood services screens of the world" and that motion pictures, like radio, have served to reduce employment opportunities for musicians, Petrillo asked the delegates: "How can the situation be remedied?"

Presumably, one of the several convention committees which will meet here today will take up the AFM president's question for consideration, and will very likely report on it before the convention ends later this week. A committee recommendation that demands be made for higher wages for film studio musicians is seen as inevitable.

In summarizing the progress of his office during the past year, Petrillo pointed out that if the picture appears darker for AFM this year it is due primarily to the Taft-Hartley Law and the Lee Act. He criticized the labor record of Republican legislators in Washington and said he would support any party that shows it is "for the workers."

UA Stand on Sopeg

(*Continued from page* 1)

NLRB conference which will include representatives of AFL's IATSE Home Office Employes Local No. H-63 and SOPEG.

The conference was called by NLRB preliminary to setting a date for a shop election among UA's "white collar" home office workers. Local H-63, which claims "an overwhelming majority" of the employes, has asked the NLRB for an election.

Buckley will present also to NLRB the UA-SOPEG contract which expired on May 31 last, along with payroll and other pertinent data. "IA" will be represented at the conference by Russell Moss, H-63 business agent, and James Rogers, international organizer. SOPEG representation will be headed by SOPEG president Sidney Young. Attorneys for both unions and the company are expected to be on hand also.

Boys' Town 'Memorial'

OMAHA, June 7.—M-G-M's "Boys Town," which has been shown annually to Boys' Town's graduating class, will be given a special showing here shortly in a memorial to the late Monsignor E. J. Flanagan, the Rev. Edmond C. Walsh, acting director, has announced. This year "Men of Boys' Town" will be screened for the graduates.

NATURALLY
you're going to play
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

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The District Court ruled for the distributors, but the Circuit Court reversed this. Tivoli is asking $750,000 damages—$250,000 trebled.

RMA Meets Next Week

WASHINGTON, June 7.—Television, FM broadcasting and recent Government proposals for industrial mobilization and increased buying of military equipment will highlight the agenda of the 24th annual convention of the Radio Manufacturers Association which will be held at the Stevens Hotel, Chicago, June 14-17. Officers and 14 directors will be elected. Max F. Balcom, RMA president, will make his annual report at a luncheon on June 17.

MPAA Seeks RKO Short

WASHINGTON, June 7.—Motion Picture Association of America president Eric Johnston and other top MPAA officials saw RKO Pathe's "Letter to a Rebel" over the weekend, and are willing to sponsor it as the second in the association's screen editorial series, if agreeable to RKO.

MOT Reception

A reception was held here yesterday by March of Time for sports writers of the Metropolitan press as well as members of the trade press. On the occasion, March of Time's new subject, "The Fight Game," was screened. Richard de Rochemont, MOT producer, was host.

Clautice Joins Sindlinger

George H. Clautice has been appointed New York representative for Sindlinger and Co., market and audience research organization, by Albert E. Sindlinger, president. He will operate out of the Hopewell, N. J., headquarters until the company opens its New York office late this month.

Newark Bans Film

NEWARK June 7.—John B. Keenan, director of public safety, has banned the showing here of the French film "Passionnelle," acting on the recommendation of a local censorship committee. The production was to have opened Friday at the Broad Street Theatre.

Selznick Television

ALBANY, N. Y., June 7. — Selznick Television Corp. of Dover, Del., has filed a registration certificate here. New York City offices are at 400 Madison Ave., where Selznick Releasing Organization is located. Paine, Kramer and Marx of New York are the attorneys.

FIRST IN FILM NEWS

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VOL. 63. NO. 111 NEW YORK, U.S.A., WEDNESDAY, JUNE 9, 1948 TEN CENTS

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U. K. Tax Pact Changes Cause Concern Here

MPAA, MPEA Boards To Weigh Subject Friday

Revisions in the British film tax agreement being requested by London government officials have attained such scope that industry leaders here feel that they would have the effect of altering the agreement itself.

Concern over the proposed revisions is so great that it is likely that discussion of the subject will be the first order of business at the meetings of the boards of the Motion Picture Association and the M. P. Export Association here on Friday.

The agreement, negotiated in London last March by Eric Johnston,

(*Continued on page 2*)

RKO, WB, 20th-Fox Pay for Arbitration

Three of the five theatre-owning defendants in the industry anti-trust suit have formally indicated their intention of continuing to support the industry arbitration system with receipt by the American Arbitration Association here of monthly assessment checks from RKO Radio, Warners and 20th Century-Fox.

Paramount and Loew's, the other two theatre-owning defendants, are expected to mail assessment checks to the AAA this week.

Two exhibitor complaints have been filed for arbitration since the U. S. Supreme Court ruled in the Paramount case on May 3.

Schary 'in Accord' With Hughes' Policy

HOLLYWOOD, June 8.—Dore Schary, RKO Radio production executive, today asserted that he and Howard Hughes, who recently acquired control of RKO from Floyd B. Odlum, "are in complete accord on present policy" and "projected program" for the studio. He explained that his statement was made "with the desire to dispel all of the rumors" concerning a change in production management at RKO.

45-Day Deadline Is Asked by US for Filing Schine Data

In its proposed order to be entered in District Court in Buffalo on June 14 in accordance with the U. S. Supreme Court's mandate in the Schine anti-trust suit, the Government asks a 45-day deadline after that date for the filing by the defendant of an accounting of all company theatre interests of any description. Copies of the order and of a memorandum supporting the order have been served on counsel for Schine.

Willard S. McKay of counsel for Schine said yesterday no action would be taken on the proposed order pending a study of the document.

In each instance the defendant is required to list the name of the theatre, its location, seating capacity, nature of Schine's interest and any periods during which the house may have been closed between Jan. 1, 1946, and June 1, 1948.

Under the order, the defendant is also compelled to file with the Buffalo District Court a statement on any other theatre realty interests, giving the nature of the interest in each case, the type of property and the location.

Within 60 days after presentation of the order to Federal Judge John Knight by the Government, both parties are directed to file with the District Court any new and amended

(*Continued on page 6*)

NY Warner Theatre Sold for $2 Million

Warner Brothers has sold the Warner Theatre here, one of its two "showcases" on Broadway, to Albany industrialist Anthony Brady Farrell, principal backer of the Broadway stage musical, "Hold It!" He will convert the house into a legitimate theatre and reopen it on Sept. 9 with "Hold It!" now tenanted elsewhere. Farrell, who announced his purchase at a press interview yesterday, has given Warners a $200,000 down-payment and will pay the remainder of

(*Continued on page 6*)

Selznick to Open Branch in Albany

ALBANY, N. Y., June 8.—Selznick Releasing Organization will open an exchange here within two weeks, to be managed by Schuyler Beattie, now functioning as the company's sales representative here. All shipping now being done from New York and Buffalo, will go out from this city, with physical distribution handled by Clark Film Distributors.

Initiate Plan To Aid Rogers Hospital Fund

National film company sales managers yesterday divulged plans for a series of contests to be conducted within the industry as a means of raising funds to continue the Will Rogers Memorial Hospital at Saranac Lake, N. Y. With $25,000 in cash on hand and pledges beyond, the tubercular sanitorium can operate until November 1, according to Edmund C. Grainger, assistant treasurer.

Idea of the contests stems from the success attained by various Variety Club tents. Robert Mochrie, general sales manager of RKO Radio, pointed out the Boston tent had sold $60,000 worth of tickets and came off with net of $45,000, Philadelphia raised $45,000 and Washington $40,000.

The New York exchange area will

(*Continued on page 2*)

Mid-Central Allied Formed in St. Louis

ST. LOUIS, June 8.—Allied States Association today launched its St. Louis area unit at an all-day meeting at the Sheraton Hotel here with some 40 exhibitors attending. The meeting adopted the name of Mid-Central Allied Independent Theatre Owners and elected an organization committee. Andy Dietz was chairman of the sessions, and H. A. Cole of Dallas, and Trueman T. Rembusch of Indianapolis were the principal speakers.

Representation at today's meeting was mainly from out-lying districts, and, as was expected, this first Allied move here drew few recruits from St. Louis itself, long a stronghold of Fred Wehrenberg's Motion Picture Thea-

(*Continued on page 6*)

5 More Percentage Suits Are Settled

PROVIDENCE, June 8.—Percentage suits involving the Palace, Gem and Thornton theatres in Arctic, R. I., and the Weymouth in Weymouth, Mass., have been marked ended in Federal Court here with the filing of a stipulation in each action to the effect that the defendant exhibitors have accounted to the plaintiff distributors and have paid to them the amounts agreed to be due.

Actions were pending on behalf of Paramount, Loew's, 20th Century-Fox, RKO and Warner Brothers.

Option to Buy Para. Holdings To Interstate

Hoblitzelle Links Move To High Court Decision

DALLAS, June 8.—Interstate Circuit and Texas Consolidated Theatres have an option to buy the Class "B" stock owned by Paramount, it was disclosed by Karl Hoblitzelle, head of the circuits, who said that he will consolidate all of his holdings if they acquire the "B" stock held by Paramount.

Arising from the Supreme Court ruling in the Paramount case which might force defendant distributor-producers to divest themselves of theatre holdings under certain conditions, this was the first indication by a theatre partner that he will seek to buy out the interests of the defendant.

Hoblitzelle said that Interstate and Texas Consolidated, numbering 183 houses in Texas and New Mexico, which control the Class "B" and "A" stock, would also acquire all of the Paramount-owned "B" shares in those circuits.

Propose Settlement Of N. T. Stock Suits

Proposals for the settlement of 20th Century-Fox stockholders' suits which involved more than $6,850,000, representing sale of National Theatres' stock and salaries and bonuses of five N. T. officers, were received by the company yesterday.

Details of the proposed settlement were not disclosed pending notice to 20th-Fox stockholders and approval by the court and board of directors, but a possible readjustment of $3,550,000 was indicated by the company. Officers of N. T. involved were

(*Continued on page 6*)

Senate Committee Approves Trade Pact

WASHINGTON, June 8.—The Senate Finance Committee today approved a one-year extension of the Reciprocal Trade Agreements Act, with the President required to give Congress his reasons if he ignores Tariff Commission recommendations on how much of a cut should be made in any particular item in new trade agreements.

The Senate group removed, however, a provision in the House-approved bill giving Congress the

(*Continued on page 2*)

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where it is sued, the judges cannot dismiss the suit on the ground that it would be more "convenient" to have the suit brought elsewhere. The high court said Congress had intended to give the plaintiffs in anti-trust suits wide choice in picking the forum most advantageous for them in order to get more effective enforcement of the anti-trust laws.

The decision was appealed back to the two Texas circuits and Paramount, Loew's, RKO, Warner, Columbia, United Artists and Universal. They claimed that the theatre firms and the Dallas exchanges of the distributors do all their business in Texas and that it would be oppressive and inequitable to force them to defend themselves in Baltimore.

The District Court ruled for the distributors, but the Circuit Court reversed this. Tivoli is asking $750,000 damages—$250,000 trebled.

RMA Meets Next Week

WASHINGTON, June 7.—Television, FM broadcasting and recent Government proposals for industrial mobilization and increased buying of military equipment will highlight the agenda of the 24th annual convention of the Radio Manufacturers Association which will be held at the Stevens Hotel, Chicago, June 14-17. Officers and 14 directors will be elected. Max F. Balcom, RMA president, will make his annual report at a luncheon on June 17.

MPAA Seeks RKO Short

WASHINGTON, June 7.—Motion Picture Association of America president Eric Johnston and other top MPAA officials saw RKO Pathe's "Letter to a Rebel" over the weekend, and are willing to sponsor it as the second in the association's screen editorial series, if agreeable to RKO.

MOT Reception

A reception was held here yesterday by March of Time for sports writers of the Metropolitan press as well as members of the trade press. On the occasion, March of Time's new subject, "The Fight Game," was screened. Richard de Rochemont, MOT producer, was host.

Clautice Joins Sindlinger

George H. Clautice has been appointed New York representative for Sindlinger and Co., market and audience research organization, by Albert E. Sindlinger, president. He will operate out of the Hopewell, N. J., headquarters until the company opens its New York office late this month.

Newark Bans Film

NEWARK June 7.—John B. Keenan, director of public safety, has banned the showing here of the French film "Passionnelle," acting on the recommendation of a local censorship committee. The production was to have opened Friday at the Broad Street Theatre.

Selznick Television

ALBANY, N. Y., June 7. — Selznick Television Corp. of Dover, Del., has filed a registration certificate here. New York City offices are at 400 Madison Ave., where Selznick Releasing Organization is located. Paine, Kramer and Marx of New York are the attorneys.

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 111 NEW YORK, U.S.A., WEDNESDAY, JUNE 9, 1948 TEN CENTS

U. K. Tax Pact Changes Cause Concern Here

MPAA, MPEA Boards To Weigh Subject Friday

Revisions in the British film tax agreement being requested by London government officials have attained such scope that industry leaders here feel that they would have the effect of altering the agreement itself.

Concern over the proposed revisions is so great that it is likely that discussion of the subject will be the first order of business at the meetings of the boards of the Motion Picture Association and the M. P. Export Association here on Friday.

The agreement, negotiated in London last March by Eric Johnston,

(*Continued on page 2*)

RKO, WB, 20th-Fox Pay for Arbitration

Three of the five theatre-owning defendants in the industry anti-trust suit have formally indicated their intention of continuing to support the industry arbitration system with receipt by the American Arbitration Association here of monthly assessment checks from RKO Radio, Warners and 20th Century-Fox.

Paramount and Loew's, the other two theatre-owning defendants, are expected to mail assessment checks to the AAA this week.

Two exhibitor complaints have been filed for arbitration since the U. S. Supreme Court ruled in the Paramount case on May 3.

Schary 'in Accord' With Hughes' Policy

HOLLYWOOD, June 8.—Dore Schary, RKO Radio production executive, today asserted that he and Howard Hughes, who recently acquired control of RKO from Floyd B. Odlum, "are in complete accord on present policy" and "projected program" for the studio. He explained that his statement was made "with the desire to dispel all of the rumors" concerning a change in production management at RKO.

45-Day Deadline Is Asked by US for Filing Schine Data

In its proposed order to be entered in District Court in Buffalo on June 14 in accordance with the U. S. Supreme Court's mandate in the Schine anti-trust suit, the Government asks a 45-day deadline after that date for the filing by the defendant of an accounting of all company theatre interests of any description. Copies of the order and of a memorandum supporting the order have been served on counsel for Schine.

Willard S. McKay of counsel for Schine said yesterday no action would be taken on the proposed order pending a study of the document.

In each instance the defendant is required to list the name of the theatre, its location, seating capacity, nature of Schine's interest and any periods during which the house may have been closed between Jan. 1, 1946, and June 1, 1948.

Under the order, the defendant is also compelled to file with the Buffalo District Court a statement on any other theatre realty interests, giving the nature of the interest in each case, the type of property and the location.

Within 60 days after presentation of the order to Federal Judge John Knight by the Government, both parties are directed to file with the District Court any new and amended

(*Continued on page 6*)

NY Warner Theatre Sold for $2 Million

Warner Brothers has sold the Warner Theatre here, one of its two "showcases" on Broadway, to Albany industrialist Anthony Brady Farrell, principal backer of the Broadway stage musical, "Hold It!" He will convert the house into a legitimate theatre and reopen it on Sept. 9 with "Hold It!" now tenanted elsewhere. Farrell, who announced his purchase at a press interview yesterday, has given Warners a $200,000 down-payment and will pay the remainder of

(*Continued on page 6*)

Selznick to Open Branch in Albany

ALBANY, N. Y., June 8.—Selznick Releasing Organization will open an exchange here within two weeks, to be managed by Schuyler Beattie, now functioning as the company's sales representative here. All shipping now being done from New York and Buffalo, will go out from this city, with physical distribution handled by Clark Film Distributors.

Initiate Plan To Aid Rogers Hospital Fund

National film company sales managers yesterday divulged plans for a series of contests to be conducted within the industry as a means of raising funds to continue the Will Rogers Memorial Hospital at Saranac Lake, N. Y. With $25,000 in cash on hand and pledges beyond, the tubercular sanitorium can operate until November 1, according to Edmund C. Grainger, assistant treasurer.

Idea of the contests stems from the success attained by various Variety Club tents. Robert Mochrie, general sales manager of RKO Radio, pointed out the Boston tent had sold $60,000 worth of tickets and came off with net of $45,000, Philadelphia raised $45,000 and Washington $40,000.

The New York exchange area will

(*Continued on page 2*)

Mid-Central Allied Formed in St. Louis

ST. LOUIS, June 8.—Allied States Association today launched its St. Louis area unit at an all-day meeting at the Sheraton Hotel here with some 40 exhibitors attending. The meeting adopted the name of Mid-Central Allied Independent Theatre Owners and elected an organization committee. Andy Dietz was chairman of the sessions, and H. A. Cole of Dallas, and Trueman T. Rembusch of Indianapolis were the principal speakers.

Representation at today's meeting was mainly from out-lying districts, and, as was expected, this first Allied move here drew few recruits from St. Louis itself, long a stronghold of Fred Wehrenberg's Motion Picture Thea-

(*Continued on page 6*)

5 More Percentage Suits Are Settled

PROVIDENCE, June 8.—Percentage suits involving the Palace, Gem and Thornton theatres in Arctic, R. I., and the Weymouth in Weymouth, Mass., have been marked ended in Federal Court here with the filing of a stipulation in each action to the effect that the defendant exhibitors have accounted to the plaintiff distributors and have paid to them the amounts agreed to be due.

Actions were pending on behalf of Paramount, Loew's, 20th Century-Fox, RKO and Warner Brothers.

Option to Buy Para. Holdings To Interstate

Hoblitzelle Links Move To High Court Decision

DALLAS, June 8.—Interstate Circuit and Texas Consolidated Theatres have an option to buy the Class "B" stock owned by Paramount, it was disclosed by Karl Hoblitzelle, head of the circuits, who said that he will consolidate all of his holdings if they acquire the "B" stock held by Paramount.

Arising from the Supreme Court ruling in the Paramount case which might force defendant distributor-producers to divest themselves of theatre holdings under certain conditions, this was the first indication by a theatre partner that he will seek to buy out the interests of the defendant.

Hoblitzelle said that Interstate and Texas Consolidated, numbering 183 houses in Texas and New Mexico, which control the Class "B" and "A" stock, would also acquire all of the Paramount-owned "B" shares in those circuits.

Propose Settlement Of N. T. Stock Suits

Proposals for the settlement of 20th Century-Fox stockholders' suits which involved more than $6,850,000, representing sale of National Theatres' stock and salaries and bonuses of five N. T. officers, were received by the company yesterday.

Details of the proposed settlement were not disclosed pending notice to 20th-Fox stockholders and approval by the court and board of directors, but a possible readjustment of $3,550,000 was indicated by the company. Officers of N. T. involved were

(*Continued on page 6*)

Senate Committee Approves Trade Pact

WASHINGTON, June 8.—The Senate Finance Committee today approved a one-year extension of the Reciprocal Trade Agreements Act, with the President required to give Congress his reasons if he ignores Tariff Commission recommendations on how much of a cut should be made in any particular item in new trade agreements.

The Senate group removed, however, a provision in the House-approved bill giving Congress the

(*Continued on page 2*)

Personal Mention

SAM SCHNEIDER, Warner vice-president, will leave here this week for London.

•

LEONARD GOLDENSON, Paramount vice-president in charge of theatre operations, and MRS. GOLDENSON yesterday became parents of their second daughter, born at White Plains Hospital.

•

CHARLES P. SKOURAS, JR., son of the president of National Theatres, was graduated from the U. S. Military Academy at West Point yesterday as a second lieutenant.

•

CHARLES MACARTHUR, screenwriter, and his wife, HELEN HAYES, and ABEL GREEN are among passengers who will sail for Europe today on the *SS Queen Mary*.

•

JOHN PECOS, 20th Century-Fox salesman in Maine and New Hampshire, and PATRICIA REAGAN, assistant cashier, were married in Boston last weekend.

•

ROBERT WILE, Universal-International home office publicist, has returned to his desk after recuperating from the measles.

•

NAT FELLMAN, Warner theatre executive, and his assistant, HARRY KAPLOWITZ, are due back here tomorrow from Cleveland.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, has arrived in Los Angeles from New York.

•

BEN KATZ, Universal-International Midwest publicity representative, left here yesterday for his headquarters in Chicago.

•

VIRGINIA R. EGAN of Altec's Boston office will be married in Medford, Mass., on Sunday to MICHAEL NOEL HOEY.

•

VINCENT SHERMAN, Warner director, will fly back to the Coast on Friday from New York.

•

JACK BRODER, Realart vice-president, arrived here yesterday from the Coast.

•

MARVIN SCHENCK, Loew executive, will leave here tomorrow for the Coast.

Spencer Steenrod, 60

NELSONVILLE, O., June 8.—Spencer S. Steenrod, 60, pioneer exhibitor and owner of the Majestic and Orpheum, died suddenly in a Columbus hospital 45 minutes after he was admitted.

Mrs. Charles Brackett

HOLLYWOOD, June 8.—Mrs. Charles Brackett, wife of the Paramount writer-producer, died Monday night at her home in Bel Air, after a prolonged illness.

Taplinger Resigns From Enterprise

HOLLYWOOD, June 8.—Robert Taplinger has resigned as advertising-publicity vice-president of Enterprise, effective at the end of this month. It is believed that no successor will be appointed since the consummation of the recent Enterprise releasing deal with M-G-M eliminates the need for the post.

Taplinger would not comment on his future plans.

U. K. Tax Pact

(*Continued from page* 1)

MPAA president, and James Mulvey, representing the Society of Independent Motion Picture Producers, is slated to go into effect next Monday.

Some industry leaders here contend that the purported "interpretations" of the agreement which have been advanced in London recently actually amount to changes in the pact which, if conceded, would have the effect of altering, if not endangering, the basis of the agreement. Most of the revisions being sought by London are concerned with the permitted uses of the American companies' blocked funds and with the administration of that phase of the agreement.

It is indicated that Johnston may return to London in the near future if the situation is not relieved promptly.

Mayer to France on Byrnes - Blum Pact

Gerald M. Mayer, director of the international division of the Motion Picture Association of America, will leave for France this week to act in a consultative capacity on the Blum-Byrnes accord renegotiations affecting films.

Approves Trade Pact

(*Continued from page* 1)

right to veto any new agreements which include tariff cuts not authorized by the Tariff Commission.

Industry leaders have supported the Administration's demand for a three-year extension without any curbs on the President's power to negotiate new agreements.

Tax-Free Ticket Bill Sent to President

WASHINGTON, June 8.—The House has sent to the White House a bill removing the admission tax from tickets given free to hospitalized servicemen and veterans. It took action by agreeing to Senate amendments to a bill which passed the House some months ago.

Lewis Dinner Tonight

HARTFORD, June 8.—Testimonial dinner will be held tomorrow night in the Hotel Bond here for Rube Lewis, business agent of Local No. 84, IATSE, for the past 25 years, and stage manager of Loew's Poli Palace. Harry Shaw, Loew Poli division manager, and Hy Fine, M. and P. circuit district manager, will be masters-of-ceremonies.

Rogers Fund

(*Continued from page* 1)

inaugurate the plan in which cooperation of exhibitors on the sale of tickets will be sought. Audiences will not be solicited in any areas. Metropolitan area district and branch managers immediately organized a committee following a kick-off luncheon at the Hotel Astor yesterday where details of the overall campaign were divulged.

It was explained that the general sales managers are acting as individuals and the program had its origin at the behest of Abe Montague, Columbia's general sales manager, who first interested his confreres in other companies and thereafter obtained authority of the hospital's board of directors to work out a method of bolstering the sanitorium's ailing finances.

Phila, Boston Meets Set

Although the task was described as one devolving essentially on distribution, Mochrie stated it was the sales managers' opinion that the cause was sufficiently worthy to include exhibition. Yesterday's luncheon will be followed by one next week in Philadelphia and one in Boston in the succeeding week.

Sub-committees made up of national sales managers will explain the agenda and as rapidly as possible thereafter visit other exchange cities primarily in the Eastern half of the country. Montague, A. W. Smith, Jr., general sales manager of 20th-Fox, and Joseph J. Unger, general sales manager of UA, comprise the subcommittee which has accepted the organizing job on behalf of the entire contingent.

Grainger appeared yesterday as substitute for Gus Eyssell, managing director of Radio City Music Hall, who is treasurer of the Memorial and who probably will resign the latter post under pressure of his new duties as executive manager of Rockefeller Center. Grainger stated annual operating costs are about $170,000 and that, currently, the major companies as a group are contributing approximately $7,500 a month. The majors have indicated an intention of maintaining half of the annual cost provided distribution and exhibition can develop a method of paying for the other half, he added.

$20,000 from Actors' Fund

Walter Vincent, president of the hospital, stated the Actors' Fund of America, of which he is also president, will maintain its current contribution of $20,000 annually.

The hospital has a capacity of from 90 to 100 beds and today has 48 patients. Several speakers explained new patients are not being accepted because of currently low funds.

Rodgers, Montague, Morey at Boston Meeting on June 22

BOSTON, June 8.—William F. Rodgers, Metro-Goldwyn-Mayer; A. Montague, Columbia, and Edward Morey, Monogram, will attend a luncheon at the Hotel Statler here on June 22 to address branch managers of all exchanges on raising funds for the Will Rogers Foundation Hospital at Saranac Lake, New York. Exchange managers of New Haven will also attend.

Newsreel Parade

PRESIDENT TRUMAN touring the nation, and the resignation of Eduard Benes mark newsreel highlights. Sweepstakes, sports and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 46.—Tension over truce brings new climax to Palestine war. President Truman, touring [illegible], speaks in Chicago. Midshipmen say farewell to Annapolis. Midget auto racing. English derby. Sweepstake's ticket brings $25,000 to Bronx family.

NEWS OF THE DAY, No. 280.—President Truman begins a cross-country tour. Eduard Benes resigns as Reds tighten grip on Czechoslovakia. Happy day for future admirals. Big fair boasts world trade. Palestine war news. Long shot wins English Derby.

PARAMOUNT NEWS, No. 83.—Heel-and-toe classic. Canada trade fair. Inside Czechoslovakia. President Truman makes 10,000-mile speaking tour. English Derby.

UNIVERSAL NEWS, No. 150.—Midshipmen graduate at Annapolis. President Truman at Chicago and Omaha on Midwest tour. Canada's trade fair opens at Toronto. Cops play kids at PAL outing. Long-shot wins English Derby. Midget racing in New York debut.

WARNER PATHE NEWS, No. 85.—President Truman on tour. Eduard Benes resigns. Report from Palestine. Annapolis graduation. Miss Europe selected. Walking on land; walking on water. English Derby. Midget car races.

Columbia to Sell Serial as a Special

Columbia's "Superman" serial will be sold as a special, with separate contracts, and not as part of the general serial-short subject program, Columbia branch and district managers were told here yesterday by A. Montague, general sales manager, at the second day of the five-day meeting at the Hotel Warwick here. The serial is being sold to first-run houses which have never previously shown chapter plays, it was said.

"The Jolson Story," Montague announced, will remain available for bookings for an additional 90 days, until Sept. 1.

Paul White Forms His Own Company

Paul White, who was Paris representative for David O. Selznick, resigning recently to enter production, has launched Paul White Productions, with offices at Movietone Studios here. He will first make 13 shorts, entitled "This Is Your World." Globe-trotter William Winter, former CBS news analyst and "Voice of America in the Pacific" for the State Department, will direct and narrate. Charles R. Senf, chief film editor, will have the first three ready for release in July.

Graduates Hear Quigley

CHARLOTTE, June 8.—Martin Quigley today delivered the address to graduates at the graduation exercises of Belmont Abbey College. The subject of his address was "The Crisis of the Times."

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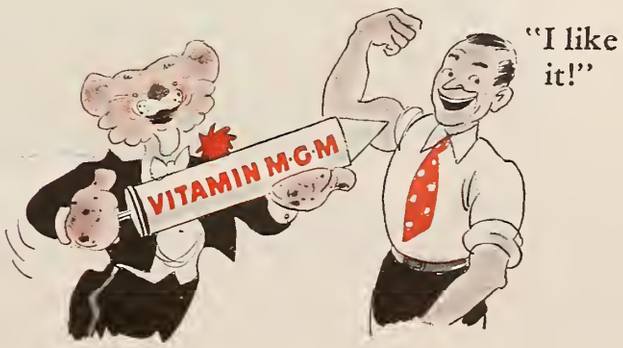
"You too can have that Vitamin M-G-M look!"

Do you wake up in the morning with that tired feeling? Do you see spots before your eyes when you read your box-office reports? *You* need Vitamin M-G-M! *You* need hits like "HOMECOMING" (*Gable-Turner wow!*) and "STATE OF THE UNION" (*Frank Capra's laugh hit*). Your theatre needs a Technicolor transfusion at the ticket-window, six in a row: "THE PIRATE" (*4th Big Week at Music Hall! First 2 weeks are the second all-time M-G-M Music Hall high!*); Irving Berlin's "EASTER PARADE" (*yes, it's as great as they say!*); "A DATE WITH JUDY" (*ditto!*); "SUMMER HOLIDAY" (*the vacation picture!*); "ON AN ISLAND WITH YOU" (*better than a cooling plant!*); "THREE MUSKETEERS" (*just wait and see!*). All this and "JULIA MISBEHAVES" (*Garson-Pidgeon reunited in a riotous romance*) and "A SOUTHERN YANKEE" (*Skelton's funniest of his career!*). Some product for the summer months!

★

M-G-M has the pictures and Leo's Vitamin M-G-M is giving the entire industry a much-needed shot in the arm.



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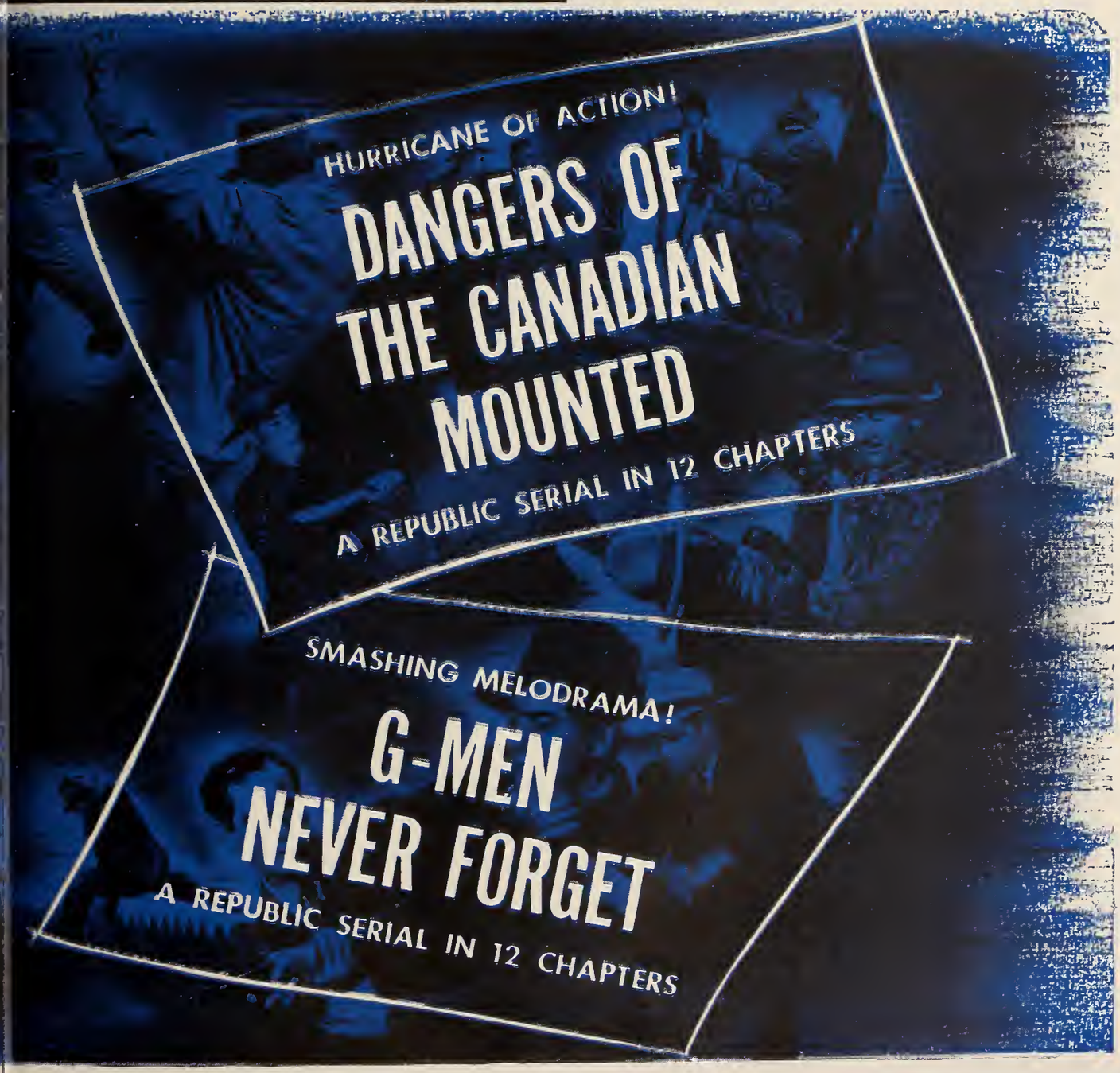

it were never filled before!

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

"Homecoming" among holdovers is getting heavy coin. Single new film, "Bride Goes Wild" is average. Cool weekend weather drew sizeable crowds downtown, helping to boost grosses from an otherwise fairish week. Estimated receipts for the week ending June 10:

THE BRIDE GOES WILD (M-G-M)—UNITED ARTISTS (1,700) (98c). (Average: $21,000)
DEAR MURDERER (U-I)—GRAND (1,150) (67c-98c) 5 days, 2nd week. **INTERMEZZO (SRO)** 2 days. Gross: $10,000. (Average: $13,500)
DUEL IN THE SUN (SRO)—ROOSEVELT (1,500) (98c) 5 days, 2nd week. **SCUDDA HOO! SCUDDA HAY! (20th-Fox)** 2 days. Gross: $17,000. (Average: $20,000)
HATTER'S CASTLE (Para.)—APOLLO (1,200) (98c) 2nd week. Gross: $9,000. (Average: $17,000)
HOMECOMING (M-G-M)—ORIENTAL (3,300) (98c) On stage: Louis Jordan. 2nd week. Gross: $58,000. (Average: $40,000)
THE MIRACLE OF THE BELLS (RKO Radio)—PALACE (2,500) (67c-98c) 5 days, 2nd week. **LETTER FROM AN UNKNOWN WOMAN (U-I)** 2 days. Gross: $19,000. (Average: $25,000)
THE SAINTED SISTERS (Para.)—STATE LAKE (2,700) (98c) On stage: Jane Powell. 2nd week. Gross: $24,000. (Average: $35,000)
THE SEARCH (M-G-M)—MONROE (953) (50c-75c-95c) 2nd week. Gross: $9,500. (Average: $12,000)
SILVER RIVER (WB)—CHICAGO (3,900) (98c) 6 days, 2nd week. Gross: $29,000. (Average: $37,000)
STATE OF THE UNION (M-G-M)—WOODS (1,080) (98c) 5th week. Gross: $13,000. (Average: $23,000)

BOSTON

Weather was hot for Thursday and Friday, and it rained on Saturday, which helped keep grosses steady and about average. Estimated receipts for the week ending June 9:

ANNA KARENINA (20th-Fox) and COUNTERFEITERS (20th-Fox)—PARAMOUNT (1,700) (40c to 80c). Gross: $17,500. (Average: $17,000)
ANNA KARENINA (20th-Fox) and COUNTERFEITERS (20th-Fox)—FENWAY (1,373) (40c to 80c). Gross: $10,500. (Average: $10,000)
ANOTHER PART OF THE FOREST (U-I) and MAIN STREET KID (Rep.)—RKO MEMORIAL (3,000) (40c to 80c). Gross: $25,000. (Average: $22,000). Bill opened on May 31, 1948. This figure for 10 days.
DUEL IN THE SUN (SRO)—STATE (3,500) (40c to 80c). Gross: $14,500. (Average: $12,000)
DUEL IN THE SUN (SRO)—ORPHEUM (3,000) (40c to 80c). Gross: $28,000. (Average: $27,000)
FANNY (Siritzky)—EXETER (1,300) (45c to 75c). Gross: $5,000. (Average: $5,000)
FORT APACHE (RKO Radio) and BLONDE ICE (FC)—RKO BOSTON (3,200) 40c to 80c). Gross: $15,000. (Average: none)
NOOSE HANGS HIGH (E-L) and ADVENTURES OF CASANOVA (E-L)—METROPOLITAN (4,367) (40c to 80c). Gross: $22,000. (Average: $27,000)
PARADINE CASE (SRO)—ESQUIRE (1,000) (90c to $1.25) 4th and final week. Gross: $10,000. (No average)
SIGN OF THE RAM (Col.) and HEART OF VIRGINIA (Rep.)—ASTOR (1,300) (44c to 80c). Gross: $6,500. (No average)

INDIANAPOLIS

First-run business still is in the doldrums. "Sainted Sisters" is the only attraction beating average. Unusually warm, rainless weather for this time of year, amounting to a drought, seems to be keeping customers outdoors. Estimated receipts for the week ending June 8-9:

THE FUGITIVE (RKO Radio) and MADONNA OF THE DESERT (Rep.)—LYRIC (1,600) (44c-65c). Gross: $5,500. (Average: $6,000)
HOMECOMING (M-G-M)—LOEW'S (2,450) (44c-65c) 2nd week. Gross: $9,000. (Average: $11,000)
I REMEMBER MAMA (RKO Radio)—KEITH'S (1,300) (44c-65c). On a move-over from the Indiana. Gross: $4,500. (Average: $10,000)
THE SAINTED SISTERS (Para.) and WATERFRONT AT MIDNIGHT (Para.)—CIRCLE (2,800) (44c-65c). Gross: $12,000. (Average: $10,000)
SILVER CITY (WB) and THE ARGYLE SECRETS (FC)—INDIANA (3,200) (44c-65c). Gross: $10,000. (Average: $12,000)

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Bernstein Aids Serkowich

Abraham Bernstein, until recently New England promotion representative for Columbia, has joined Benjamin Serkowich in the promotion of the Monty Shaff-Frank P. Rosenberg production, "Man-Eater of Kumaon," which Universal-International is releasing.

Palace to Stay Open

RKO's Palace Theatre on Broadway will not be closed or sold, according to Sol A. Schwartz, RKO Theatres' vice-president and general manager. He announced here yesterday that the house will be on a double-feature policy indefinitely.

Wood with Monogram

HOLLYWOOD, June 8. — Allen K. Wood has been signed as production manager at Monogram by Scott R. Dunlap, executive assistant to president Steve Broidy. Wood was recently unit manager at Eagle-Lion. He replaces Glenn Cook, who resigned.

McCoy Names Chalman

ATLANTA, June 8. — Carl Chalman, former sales representative for Paramount in Atlanta, has been appointed by Ralph McCoy in the same capacity at Film Classics.

N. T. Stock Suits

(*Continued from page* 1)

Charles Skouras, Elmer Rhoden, Frank H. Ricketson and H. J. Fitzgerald, to whom the N. T. stock was sold in 1944, and from whom it was repurchased in 1946. Suits were filed in 1946.

A 20th Century-Fox statement issued yesterday indicated that the corporation stood to recover through the settlement approximately $1,800,000, and that amendments to the employment contract of Skouras, president of National, extending over the next seven years, "could save the company a total of $1,750,000" additional, "at current earnings and tax levels."

"In addition," the statement said, 20th-Fox "would obtain from executives calls expiring Dec. 31, 1949, at $22½ per share on 18,500 shares of 20th Century-Fox common stock."

4 Sales Chiefs Testify In 5th-Walnut Suit

Sales executives William Gehring of 20th Century-Fox; Nat Levy, RKO Radio; Frank J. A. McCarthy, Universal, and Louis Weinberg, Columbia, were examined in U. S. District Court here yesterday by plaintiff's attorneys Monroe E. Stein and Herbert J. Fabricant in the Fifth and Walnut Amusement Co.'s $2,100,000 anti-trust suit charging distributors with having illegally denied first-run product to the circuit's National Theatre in Louisville.

Stein and Fabricant questioned them "in order to bring out the unique pattern of defendants' distribution of their product in the Louisville area." Weinberg will resume the stand today. Trial is in its fourth week before Judge Vincent L. Leibel and a jury.

Upholds 20th's Right To 'Curtain' Music

New York Supreme Court Justice Edward Koch has denied a motion by four Russian composers asking that 20th Century-Fox be restrained from using their music in "The Iron Curtain." Koch ruled that the music in question "is in the public domain and enjoys no copyright protection whatever."

The composers are Dmitri Shostakovich, Serge Prokofiev, Aram Khachaturian and Nicolai Miaskovsky.

Warner Theatre Sold

(*Continued from page* 1)

the purchase price, said to be "close to $2,000,000," in a month. The theatre has been dark due to a product shortage.

The sale will return to the ranks of legitimate theatres the 1,600-seat house, situated at Broadway and 51st Street, which, since its completion in 1931 as a key film and presentation house of Warner's, has housed first-run films and such stage spectacles as "Calling All Stars," "Sunny River" and "Banjo Eyes." Since 1941 the theatre, called the Hollywood until last year, has shown only motion pictures.

Farrell said he will change the name of the house to "The Brafar," and will devote the next eight weeks to redecorating and refurbishing.

Immerman Recuperating

CHICAGO, June 8.—Walter Immerman, Balaban and Katz vice-president, was reported today to be recovering in Henrotin Hospital here from a heart attack suffered Sunday night.

Chicago, State Lake To Revert on Policy

CHICAGO, June 8.—Balaban and Katz's Chicago Theatre will revert to combination stage and screen shows starting June 24 and the State Lake will switch back to a straight picture policy. Under the impact of the Loop decree's provision for two-week runs, the Chicago abandoned stage shows for top product and the State Lake turned to combination shows, but these policies proved unsuccessful.

Schine Case

(*Continued from page* 1)

findings and provisions of the final judgment that may be deemed necessary under the Supreme Court decision, also proposals for any other action by the lower court.

Any objections to the proposals must be filed by both sides within 30 days after service.

It is decreed that "all provisions of the amended judgment and order not vacated by the order shall henceforth be in full force and effect."

The memorandum explains that "the proposed order is intended to make only those modifications in the existing findings of fact, conclusions of law and decree which are plainly required by the Supreme Court's opinion."

"In some instances," the memorandum adds, "the findings, conclusions and provisions of the judgment vacated by the proposed order might be retained upon the making of additional findings. It seems better, however, to vacate them for the present until the court and the parties have had time to consider what findings should be made in the light of the Supreme Court's opinion."

According to the memorandum, the order "sets in motion procedure essential to the entry of a final judgment."

It is pointed out that until adequate findings are made with respect to clearance the conclusion of law on that question "is without a finding of fact on which it may be based."

Mid-Central Allied

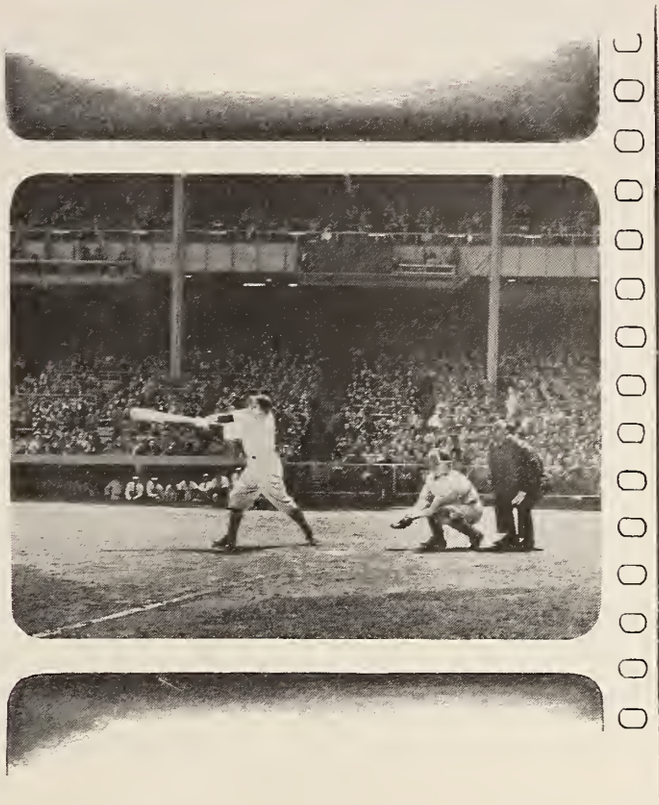
(*Continued from page* 1)

tre Owners unit. However, out-of-town delegates today were broadly representative of the Southern Illinois and Eastern Missouri areas.

Named to the organization committee, in addition to Dietz, were: Loren Cluster, Alvin Weick, Gene Beckam, Charles Bennaniti, W. T. Zimmerman, O. F. Jeffreys, Earl Vandiver, Caesar Brutt, Henry Halloway and Hugh Graham.

First formal meeting of the new unit will be held late in July.

OF COURSE
your audience will love...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

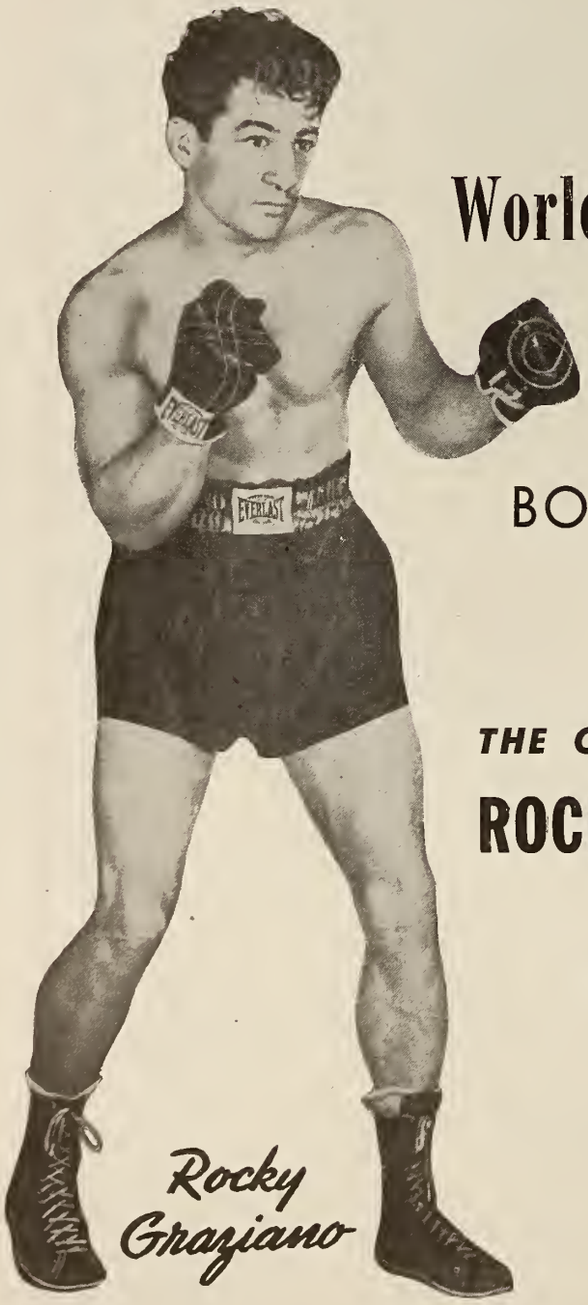


The shot that will be seen 'round the world!

On May 29, the cameras stopped turning on Roy Del Ruth's "The Babe Ruth Story," *a film which has excited more exhibitor and fan interest than any production in recent years. Cutting and scoring began immediately and, soon, theatre men can look forward to seeing and selling that Home Run of Hits,* "The Babe Ruth Story," *an Allied Artists Production.*

STILL BOOKING AND HOW!

Official Motion Pictures of The BATTLE OF A DECADE



The

World's Middleweight Championship

BOXING CONTEST

Between

THE CHAMPION

ROCKY GRAZIANO

VS

THE FORMER CHAMPION

TONY ZALE

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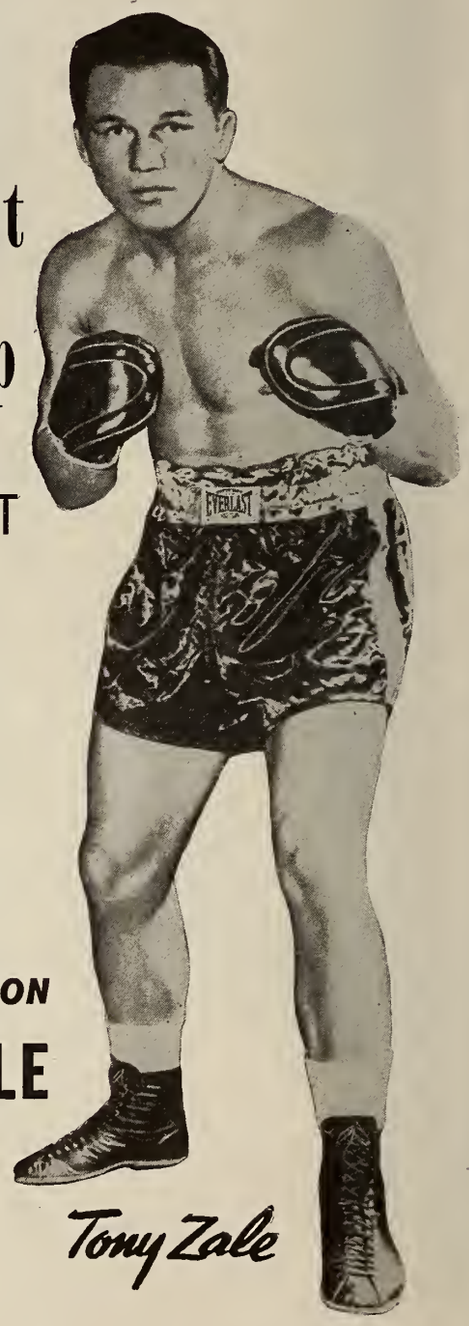

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VOL. 63. NO. 112 NEW YORK, U.S.A., THURSDAY, JUNE 10, 1948 TEN CENTS

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U. A. Directors Approve Deals For 11 Films

Production 'Pinch' Eased; Kelly Makes UK Report

United Artists' board of directors approved at a meeting here yesterday deals for the release of 11 pictures scheduled by five producers. The new deals will ease materially the production "pinch" which had threatened UA for later in the season.

Yesterday's meeting heard a report by vice-president Arthur W. Kelly on his recent visit to England. He disclosed that a number of UA pictures are now being seen by J. Arthur Rank with a view toward booking them in his British theatres. UA's relationship with the Rank organization, Kelly said, is "most cordial." Following a recent meeting of Odeon Cinema Holding Corp., jointly owned by UA and Rank, general agreement

(*Continued on page* 4)

Hearing Tuesday on RKO Union Dispute

New York State Labor Relations Board will conduct a hearing here next Tuesday on a complaint filed last Tuesday against RKO Service Corp. by the Motion Picture Theatre Operating Managers and Assistant Managers Guild charging the company with refusal to bargain collectively on a new contract. Contract

(*Continued on page* 4)

Demands End of Federal Ticket Tax

Salt Lake City, June 9. — Mayor Earl J. Glade demands the Federal Government release monies collected from amusement taxes to cities or get out of this taxing field altogether and leave it up to the cities.

Glade said there is quite properly a cry for lower taxes, but he believes that it should focus on Federal and state governments and not on city. At present there are no municipal taxes on theatres in Utah, but there is a state sales tax of two per cent.

SAG Clearing Way For Strike Action If Pact Talks Fail

HOLLYWOOD, June 9.—In compliance with the Taft-Hartley Act, the Screen Actors Guild tonight sent notices to the Federal Mediation and Conciliation Service in Washington, the California State Department of Industrial Relations and the New York Labor Department's mediation board that a "labor dispute exists" between the union and some 400 producers.

Although the guild and producers plan further talks for a contract to replace the one expiring July 31, the SAG board is taking all legally required steps to free itself for strike action on Aug. 1, if necessary.

Meanwhile, the guild and representatives of the Independent Motion Picture Producers Association met yesterday for preliminary discussions of a new contract.

U. S., Technicolor Hold Decree Talks

WASHINGTON, June 9.—Negotiations for a consent decree in the Justice Department's anti-trust suit against Technicolor, Inc., have been resumed here, a Justice Department spokesman declared today. Pre-trial conference in the case is now set for some time in September, the official said, so that even if the consent decree negotiations fall through, nothing further will happen in the case until fall.

Negotiations looking toward a consent decree were entered into once before, but were broken off by the department because, it charged, Technicolor was not making any real concessions. "Now they seem to be trying harder," the Justice official stated.

More Paramount Ads on New Films

SAN FRANCISCO, June 9.—Intensified promotion of its product is planned by Paramount, with advertising in a wider field, it was disclosed at the close of the three-day divisional sales meeting here today.

As one phase of the wider scope, Paramount will merchandise its product as a whole with advertising embracing an entire group of pictures. Initially, it will concentrate on "Dream Girl," "A Foreign Affair," "The Emperor Waltz," "Beyond Glory," "So Evil My Love," "Sealed Verdict" and "My Own True Love." An ad campaign comprising several new pictures has just started.

New York home office executives

(*Continued on page* 4)

Salesmen's Ballots Mailed by NLRB

National Labor Relations Board here yesterday finished mailing ballots to 1,000 film salesmen in the country who are eligible to vote whether or not they desire to be represented by the Colosseum of Motion Picture Salesmen of America for collective bargaining purposes.

Eleven distributors and National Screen are involved in the company-wide elections.

2 Firms Dismissed In Windsor Case

WASHINGTON, June 9.—U. S. District Judge Bolitha J. Laws has dismissed two Baltimore firms—Hilton Theatre Co. and Walbrook Amusement Co.—as parties to the $600,000 trust suit filed against them and Warners, 20th-Fox, Paramount, Loew's, Universal and U.A., by the Windsor Theatre Co. of Baltimore, on the ground that they could not be considered under the anti-trust laws to be "transacting business" in the District of Columbia and so could not be sued in Washington.

Judge Laws pointed out that Windsor claimed the two firms did transact business here because their general manager came to Washington to book films and to secure rental adjustments.

The opinion declared that the amount of business which a firm must transact in a district in order to be sued there in an anti-trust proceeding is less than that required in other types of suits, but said that "the acts relied on to constitute transacting

(*Continued on page* 4)

Rauland Licenses on Non-Exclusive Basis

CHICAGO, June 9.—Rauland Television Co. here will not make exclusive deals with anyone for its large screen theatre television equipment when it is ready for the market, E. N. Rauland, president, disclosed here.

The Rauland large screen equipment is regarded by some television authorities as the farthest advanced of any such equipment at the present time, but the company reports it is still proceeding with developments. Licenses will be placed on the open market when it is ready, Rauland said.

J. Arthur Rank will be one of the first to use the Rauland large screen television. His deal was concluded with the company here some time ago.

60-Day Limit To List Joint Holdings: US

Will Ask Temporary Stay Against Theatre Deals

When its proposed order intended to give force to the United States Supreme Court's opinion in the industry anti-trust suit is presented to Judge August N. Hand in District Court here on June 15, the Government will ask that theatre-holding defendants be limited to 60 days after that date for the submission of statements listing joint theatre ownerships claimed to involve investments by persons not actual or potential theatre operators.

This was disclosed here yesterday when copies of the order and of a memorandum in support of the order were served on attorneys for the defendant companies.

The order would require each defendant laying claim to "innocent investment" to give the name, address and business, if any, of each such investor. It is indicated that the demand

(*Continued on page* 4)

Hearing Set on N.T., 20th Settlement

New York Supreme Court Justice Ferdinand Pecora yesterday set August 3 for hearing of proposals for settlement of the consolidated stockholders' actions against National Theatres and 20th Century-Fox officials. A 20th-Fox statement issued Tuesday indicated that the company could benefit up to $3,550,000 by the settlement proposals involving four N. T. officials on stock sold to them in 1944 and repurchased in 1946, to-

(*Continued on page* 4)

Mass. May Face a $1 Per Reel Tax

Boston, June 9.—Legislative circles are discussing a $1 per reel state tax on motion pictures, for introduction in the next session of the legislature, to help defray the record high cost of operating the government.

Nearby Rhode Island has a similar tax.

Personal Mention

N. PETER RATHVON, RKO president, will arrive here today from the Coast.

•

FRED MEYERS, Universal-International Eastern division manager, ED MCCOY, DAVE MILLER and EUGENE VOGEL, all of the Universal-International sales staff, were visitors at the Schine Circuit office in Gloversville, N. Y., yesterday.

•

MRS. JAMES F. LOORAM, chairman of the International Federation of Catholic Alumnae, Legion of Decency reviewing group, received the degree of Doctor of Humane Letters yesterday from Fordham University.

•

C. J. FELDMAN, Universal-International Western division sales manager, is due back in New York today from Omaha and Des Moines.

•

MRS. BEN GOETZ, wife of M-G-M's British studio head, will leave the Coast on June 20 to join her husband in London.

•

BURTUS BISHOP, JR., M-G-M Midwestern sales manager, and JAY EISENBERG, sales-legal liaison, are due in Minneapolis today from Milwaukee.

•

RAY BEALL, currently in New York on a business trip for Manley Popcorn Co., Kansas City, will leave for Boston in a few days.

•

ROBERT POWERS, assistant to Paramount vice-president LEONARD GOLDENSON, is recuperating from a recent heart attack.

•

LOUIS PHILLIPS, Paramount counsel, is recovering from the effects of an infected finger which had to be lanced.

•

GERALD M. MAYER, Motion Picture Association of America international division manager, will leave New York today for Paris.

•

W. C. DEVRY, president of DeVry Corp., and his brother, E. B. DEVRY, secretary-treasurer, will celebrate birthdays next Tuesday.

•

JACK ELLIS, United Artists district manager, will return to New York today from Oneida, N. Y.

•

SEYMOUR MOSES, M-G-M manager in Finland, and MRS. MOSES are vacationing in New York.

•

HAL W. BOEHME, head of Special Attractions, Seattle, has returned to his headquarters from New York.

•

JERRY PICKMAN, Eagle-Lion assistant advertising-publicity director, will leave here today for Denver.

•

LOU F. EDELMAN, Warner producer, is in town from Hollywood.

Churubusco 'In the Red' for $500,000

MEXICO CITY, June 9.—The trade is disturbed over developments that may close Mexico's newest and one of its best studios, at Churubusco, local suburb, opened by RKO and its Mexican partner, Productores Asociados Mexicanos.

Churubusco has asked the Federal Board of Conciliation and Arbitration for sanction to reduce wages by 40 per cent and eliminate most of the costly economic benefits it allows its employes, contending that since its opening it has lost $500,000, on a gross income of $1,200,000 and expenditures of $1,700,000.

With Churubusco's plea to the board, the National Cinematographic Industry Workers Union, controlling studio employes, pressed its demand before the board for revision of its members' collective labor contract, featuring a 60 per cent hike. Churubusco's manager, Charles Woram, told the board that because of its economic difficulties it is impossible for it to grant any part of the union's demands. The case is expected to come to a climax by June 30.

Churubusco's troubles are attributed in film circles to the deepening of the Mexican industry's depression which they blame mostly upon increasingly higher operating costs.

Costs Coin to Call A Capital Copper

WASHINGTON, June 9.—The House has approved and sent to the Senate a bill to permit the District to collect from Washington theatre owners and other amusement places the cost of any extra police or fire protection for special events. Cost of routine inspection and protection is already covered in District theatre license fees, which were boosted only last year to cover increased inspection and protection costs.

Maguire at AMPA

Judge Edward C. Maguire, coordinator of Mayor O'Dwyer's New York City motion picture committee, will be guest speaker at the 32nd annual installation-luncheon of AMPA for 1948-49 officers, headed by Max E. Youngstein, Eagle-Lion advertising vice-president. The luncheon will be held Thursday, June 17, in the Hotel Astor.

Brisson To Open Offices

Frederick Brisson, Independent Artists executive producer, sailed for Europe yesterday on the *SS Queen Mary* to set up offices and representatives for the company in London and Paris, and to arrange for production in England and Denmark and search for talent. He is due back in New York around July 20.

Bram, Goldsmith Shifted

CLEVELAND, June 9.—Robert Bram, transferred from the Denver U-I exchange, succeeds Lee Goldsmith as office manager in the Cleveland exchange. Goldsmith has been transferred to Atlanta.

Yugoslavia Building; Attendance Spurts

By STOYAN BRALOVITCH

BELGRADE, June 4 (By Airmail).—Theatre building and rebuilding, theatre attendance and film production are on the increase here. Yugoslavia now has 680 theatres; in 1947, the number of permanent theatres was increased from 576 to 635.

In 1946, attendance in all houses totaled 25,988,127. In 1947 it reached 40,613,419. In February, 1948, attendance was 5,389,700, which compares with 3,421,960 for February, 1947.

Girden Named Head Of Trans-Lux Corp.

William M. Girden yesterday was named president of Trans-Lux Corp. to succeed Percy N. Furber who becomes chairman of the board.

Directors elected at the annual stockholders' meeting preceding the board session, include: Lee Shubert, Jacob Starr, Joseph Viertel, Jay Emanuel, Herbert E. Herrman, Ralph Wiener, Milton C. Weisman and Philip G. Whitman.

Yassenoff Cuts Again

SPRINGFIELD, O., June 9. — Adult admission has been reduced from 49 cents to 39 cents at the Globe, local unit of a group operated by Leo Yassenoff of Columbus. Top admission was 75 cents when Yassenoff reopened the house, which he acquired as the Hippodrome several months ago after Chakeres Theatres failed to renew the lease.

Timin Starts Series

Carl L. Timin has started producing and directing the first of a series of two-reelers based on the "Can You Top This?" radio program, featuring Senator Ford, Harry Hershfield, Joe Laurie, Jr., Peter Donald and Ward Wilson, Dan Shapiro and Milton Pascal wrote the script. Columbia will distribute.

60 Cops Guard Albee

Police guard of 60 split into two shifts went on duty yesterday at the Albee Theatre in Brooklyn when 20th Century-Fox's "The Iron Curtain" opened. When the film opened at the Roxy in New York rioting between Communists and sympathizers and members of the Catholic War Veterans broke out.

To Argue Artkino Case

Motion will be argued in New York Supreme Court tomorrow in an action instituted by Artkino Pictures to restrain Film Classics from using footage made in the Soviet Union and which is incorporated in F.C.'s "Will It Happen Again?" Plaintiff charges the defendant does not have the legal right to use the footage.

'Island' Premiere June 16

PHILADELPHIA, June 9.—M-G-M's "On an Island with You" will have its world premiere at the Goldman Theatre on Wednesday, June 16, this date having been chosen to coincide closely with the Republican national convention which opens here June 20.

250 Films Yearly to Far East: O'Connor

Business in the Far East is generally better than the pre-war period but not equal to the post-liberation period, Ed O'Connor, Loew's International Far East regional director, said here yesterday at a reception held for him and Orton Hicks, head of the company's 16mm. division, at Sardi's. Hicks has just returned from England, Belgium, France and Italy.

O'Connor pointed out that American pictures are most popular in his territory and that some 250 are imported a year. In Hong Kong and Singapore, he said, regulations demand that one-tenth of all playing time be devoted to British product.

Hicks asserted that the 16mm. industry has been showing a steady growth abroad. There are about 1,500 16mm. installations in England, about 2,900 in France, 250 in Belgium and 600 in Italy.

Several Accept Bid To Jersey Meeting

Edward Lachman, president of New Jersey Allied, who left here yesterday for a week in Paris, reported prior to his departure that distribution and circuit executives will join officers and members of various units of national Allied at the annual convention of New Jersey Allied, to be held at the Hollywood Hotel, West End, N. J., on June 28-30.

Invitations to attend have been accepted by Leon J. Bamberger, RKO Radio; Henderson Richey, M-G-M; Nat Furst and Morey Goldstein, Monogram; Saul Trauner, Columbia; Harold Bennett, National Screen; Sol Schwartz, RKO; Ben Abner, Loew's; Len Gruenberg, RKO; Sam Shain, 20th Century-Fox. Following Allied officials will attend; William Ainsworth, Allied president; Meyer Leventhal, Herman Blum, Lauritz Garman, Benjamin Berger, and others.

French Arc Carbon Rights to Lachman

Edward Lachman, president of Allied Theatre Owners of New Jersey, left New York yesterday by plane for Paris to close a deal for U. S. distribution rights to French projector lamp carbon.

He will return here in a week, at which time he will announce full details of his new business.

E - L Fetes Scribes On Boat Trip Here

Many representatives from daily newspapers, syndicates, magazines, radio and the trade press were guests of Eagle-Lion last night aboard the *SS Sightseer* on a tour around Manhattan at a welcome party for Lois Butler, star of E-L's "Mickey." Supper and entertainment highlighted the affair.

Horan Promotes Daytz

BOSTON, June 9.—Mickey Daytz is the new sales manager at Warner's Boston branch. He was promoted by George W. Horan, branch manager.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

something new has been added to motion pictures!

Henry Morgan agrees with the Trade Press!

"'SO THIS IS NEW YORK' has wonderful freshness. A rare and lavish joy. HENRY MORGAN will keep audiences rocking with laughter!" —M.P. DAILY

"ABSOLUTELY TRUE"

"'SO THIS IS NEW YORK' original and fresh. HENRY MORGAN makes a handsome bow. Audiences will howl!" —M.P. HERALD

"NICELY EXPRESSED"

"'SO THIS IS NEW YORK' has appeal main-stem to sticks. MORGAN makes dynamic impression. Screwiest yock-provoking gags ever projected!" —DAILY VARIETY

"CHARMINGLY SAID"

"'SO THIS IS NEW YORK' has class in production, performances, direction. Morgan's millions of fans should guarantee boxoffice success!" —BOXOFFICE

"A WELL TURNED PHRASE"

"'SO THIS IS NEW YORK' sparkling with originality. A sleeper. MORGAN displays an expert talent!" —VARIETY

"IN VINO VERITAS"

"'SO THIS IS NEW YORK' clicks. Boldly imaginative. Solid supporting cast. MORGAN'S style at its best!" —HOLLYWOOD REPORTER

"I AM IN COMPLETE ACCORD"

The ENTERPRISE STUDIOS present

Henry Morgan

in

'SO THIS IS NEW YORK'

with RUDY VALLEE · HUGH HERBERT · BILL GOODWIN

Virginia Grey • Dona Drake • Jerome Cowan • Leo Gorcey • Arnold Stang

Screenplay by Carl Foreman and Herbert Baker • Based on the novel "The Big Town" by Ring Lardner

Directed by Richard O. FLEISCHER • Produced by STANLEY KRAMER

A Screen Plays, Inc. Production

So this is released thru **UA**

60-Day Limit

(*Continued from page* 1)

for a listing of such claims will be opposed by counsel for the defendants at the June 15 hearing on the order before Judge Hand.

At the same time both sides would have to file with the court any new or modified findings or provisions of the final judgment considered necessary under the Supreme Court's decision.

Under the order the Government and the defendants would have 30 days after the receipt of new proposals to file objections to them. The Government would have the right to include a specification of any claims of innocent investment it might wish to contest.

Would Enjoin Theatre Deals

The Government asks that, pending entry of a further order, the five major defendants be temporarily enjoined "from selling or acquiring any theatre interests" or "from making or enforcing any franchises covering theatres affiliated with one or more of them (the defendants) discriminating against film licensees competing with licensees affiliated with one or more of them in any manner."

A hearing on the proposals and objections to them raised by either side will be set by the District Court.

While the ruling of the lower court affirming the right of each major distributor to license films distributed by it to theatres in which it has a proprietary interest of 95 per cent or more is admittedly "not explicitly dealt with" in the high court's decision, the memorandum urges that it must also be set aside "to permit the entry of a final judgment consistent with the new findings."

The memorandum holds that "it would seem desirable" to set aside all findings on franchises both to effect a literal compliance with the Supreme Court's opinion and to permit the District Court to "start afresh in its determination of appropriate findings in respect of franchises."

Ask 'Concrete Proposals for Relief'

The memorandum points out that "while the adoption of theatre divestiture provisions and a permanent injunction controlling theatre acquisitions must await new findings, the submission of concrete proposals for such relief as the parties deem proper is essential to clarify their position as to the intended effect on the judgment of the findings submitted by them." It further asserts that the Supreme Court's opinion "does not explicitly order the vacation of the injunction against franchises, but such elimination seems a necessary result of the direction to vacate the findings which support it."

It is explained in the memorandum that the temporary injunction is sought because it will "at least preserve the *status quo* pending the entry of a final judgment."

"Since the injunction against theatre expansion was not stayed by the appeals," it adds, "it remains in effect pending the entry of an order on the mandate of the Supreme Court. These proceedings cannot terminate in an effective divestiture judgment unless appropriate judicial control over the defendants' theatre holdings is continued."

Opinions on Schine, Para. Cited

According to the memorandum, "The Schine and Paramount opinions, when read together, make certain that the major defendants should be at least equally restricted with respect to theatre acquisitions, pending the entry of a further order."

Appearing for the Government at the June 15 hearing before Judge Hand here will be Robert L. Wright, special assistant to the attorney general. He will be assisted by Harold Lasser, Government attorney attached to the anti-trust division here.

NCA to File Damage Suits for Alleged Breaches of Decision

MINNEAPOLIS, June 9.—Damage suits against major distributors on a "wholesale scale" for alleged violations of the Supreme Court edict in the *Paramount et al.* case in conditioning sales of one picture upon that of another, will be instituted by North Central Allied in behalf of exhibitors as soon as evidence can be gathered and papers drawn up, it has been disclosed by Ben Berger, NCA president, and Stanley Kane, executive director. The NCA board also adopted plans to present affidavits to the Department of Justice for contempt proceedings.

RKO Union Dispute

(*Continued from page* 1)

executed on May 13, 1946 for a two-year term, expired last April 15, and the Guild reports that at a recent conference before the State Mediation Board the company advised the Guild that it would decline to enter into a new contract.

George Dunn, Guild president, said yesterday that he sent to Howard Hughes on May 19 a letter explaining the union's position and asking Hughes to intervene. He said Hughes, RKO's controlling stockholder, has not replied yet, and that, accordingly, "we have no choice except to proceed with the filing of formal charges against the company and with various other actions to protect the interests of our members."

The Guild was certified by the State Labor Relations Board in 1944 as the collective bargaining representative of 100 managers and assistant managers of RKO theatres in New York City and Westchester County.

'Freedom Train' Drive

CHICAGO, June 9.—Plans of theatre owners for publicizing the arrival of the "Freedom Train" here on July 5 were completed in the offices of Arthur Schoenstadt, local chairman for theatres, under supervision of John Balaban, general chairman. Trailers, lobby displays and a special reel will be part of the campaign. Norman Kassel, Essaness Theatres advertising head, is local publicity chief.

U. A. Directors

(*Continued from page* 1)

was reached as to general policy, he added.

Approved product deals include: A five-picture contract with Screenplays, Inc., headed by Stanley Kramer, for "The Champion" (for August 15 shooting), John Berry directing; "Six Shades in Blue," Irving Reis directing; "High Moon," Berry directing; "Juno and the Paycock," Mark Robson directing, and Taylor Caldwell's "Wide House"; a three-picture deal with producer James Masser for "Some Rain Must Fall" (for August shooting), Alfred E. Green directing; "Joe Macbeth," Lloyd Bacon directing; "Caesar the Great," Bacon directing; one-picture deals with Samuel Goldwyn, Jr., for "Diplomatic Passport," which will be shot in France; Buster Collier, for "Cautious Amorist," to be produced in England in August, with Noel Langley directing, and one with Amusement Enterprises, Inc., headed by Bernard Luber, for Craig Rice's "The Lucky Stiff," Lewis Foster directing.

Gradwell L. Sears, UA president, presided at the meeting.

McCarthy on Pact Administration Unit

John G. McCarthy, associate manager of Motion Picture Association of America's international division, has been appointed temporarily to serve with F. W. Allport, MPAA representative in London, as U. S. representative on the control commission which will administer the new Anglo-American film agreement when it becomes operative on June 14, the MPAA reported here yesterday.

McCarthy, now in London, was appointed pending selection of a permanent U. S. member. Allport is a permanent member of the commission which was designed to include two Americans and two Britons. One of the latter is expected to be R. G. Somervell of Britain's Board of Trade.

N.T. Settlement

(*Continued from page* 1)

gether with adjustments in bonus provisions to Charles Skouras, N. T. president.

In addition, the settlement proposals give 20th-Fox calls expiring Dec. 31, 1949, at $22½ per share, on 18,500 shares of 20th-Fox common stock. The shares concerned represent 10 per cent of options granted to Spyros Skouras, Darryl F. Zanuck and W. C. Michel, by the company. Zanuck's option totaled 100,000 shares, of which 10,000 would be subject to call by the company. The remaining 8,500 shares represent 10 per cent of the options granted to Skouras and Michel.

More Paramount Ads

(*Continued from page* 1)

who attended the meeting include Charles M. Reagan, distribution vice-president, who presided; E. K. O'Shea, A. W. Schwalberg, Stanley Shuford, Ben Washer, Sid Mesibov and Fred LeRoy. George A. Smith, Western division manager, Hugh Braley, district manager, and representatives of six branches also attended.

Lift Two 'Blue Laws'

ATLANTA, June 9.—Sunday shows have been voted for Gallatin and Morristown, both in Tennessee.

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

SAN FRANCISCO

Business here is very slack, grosses in all but two instances being below average. The exceptions are "Fuller Brush Man" and "Arch of Triumph." Estimated receipts for the week ending June 9:

ANNA KARENINA (20th-Fox)—UNITED NATIONS (1,129) (60c-85c) 1st week. Gross: $5,800. (Average: $9,900)

ARCH OF TRIUMPH (UA)—ST. FRANCIS (1,430) (60c-85c) 3rd week. Gross: $13,500. (Average: $14,600)

ENCHANTED VALLEY (EL) and UNDER CALIFORNIA STARS (Rep.)—STATE (2,135) (60c-85c). Gross: $6,500. (Average: $8,200)

THE FULLER BRUSH MAN (Col.) and PORT SAID (Col.)—ORPHEUM (2,440) (55c-85c) 2nd week. Gross: $14,500. (Average: $14,700)

FORT APACHE (RKO Radio)—RKO GOLDEN GATE (2,825) (95c) 3rd week. Gross: $12,000. (Average: $27,000)

HAZARD (Para.) and HEART OF VIRGINIA (Rep.)—PARAMOUNT (2,735) (60c-85c). Gross: $19,000. (Average: $19,500)

THE HUNTED (AA) and IN FAST COMPANY (Mono.) — ESQUIRE (1,008) (55c-85c) 2nd week. Gross: $6,500. (Average: $9,000)

HOMECOMING (M-G-M) and I WOULDN'T BE IN YOUR SHOES (Mono.)—FOX (4,651) (60c-85c) 2nd week. Gross: $18,500. (Average: $23,000)

SUMMER HOLIDAY (M-G-M) and SECRET SERVICE INVESTIGATOR (Rep.) — WARFIELD (2,672) (60c-85c). Gross: $17,500. (Average: $18,800)

THE TIME OF YOUR LIFE (UA)—UNITED ARTISTS (1,465) (85c) 2nd week. Gross: $14,700. (Average: $11,300)

OMAHA

Theatre grosses here continue on the pale side, with alarm about the continued warm and dry weather growing. Estimated receipts for week ending June 9-10:

ANGELS ALLEY (Mono.) and HIGH WALL (M-G-M)—STATE (750) (50c-65c). Gross: $5,300. (Average: $5,000)

THE DOCTOR TAKES A WIFE (Col.) and MORE THAN A SECRETARY (Col.)—OMAHA (2,000) (50c-65c). Gross: $7,100. (Average: $8,600)

FORT APACHE (RKO Radio) and MARY LOU (Col.)—RKO BRANDEIS (1,100) (50c-65c) 2nd week. Gross: $6,200. (Average: $6,800)

HAZARD (Para.) and WHISPERING CITY (E-L)—ORPHEUM (3,000) (50c-65c). Gross: $8,700. (Average: $9,500)

THE NAKED CITY (U-I)—PARAMOUNT (2,900) (50c-65c). Gross: $10,800. (Average: $10,600)

2 Firms Dismissed

(*Continued from page* 1)

business must constitute a substantial part of the ordinary business of the corporation and must be continuous or at least of some duration."

At the same time, Harold Shilz, attorney for Windsor, filed an amendment today to the original complaint contending that the New York court's finding in the Paramount case, holding that distributors maintained an unreasonable clearance system to the detriment of independent exhibitors, was conclusive and entitled his client to judgment without any need for proof of conspiracy or damage.

This is believed to be the first time this charge has been included in a film anti-trust proceeding since the Supreme Court's Paramount decision.

She remembers Mama...

NOTHING here betrays the days that passed between the camera's visits to this room. To movie-goers, all seems the same as when they looked in "only a moment ago."

Because—before the camera rolled—the script girl had every single detail in mind—from the actors' make-up, costumes, action, down to the smallest prop. And thus the director's "second memory" made sure that smooth continuity would be faithfully preserved.

Through such unflagging watchfulness, the script girl adds much to every picture's perfection . . . saves many a costly retake, too. In this, of course, she's not alone—her "silent partners" are films of great dependability and uniformly high quality—members of the famous Eastman family.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	S.R.O.	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
May 30	THE LADY FROM SHANGHAI Rita Hayworth Orson Welles D—87 min. (Rev. 4/15/48) BLONDIE'S REWARD Penny Singleton C—67 min.	SWORD OF THE AVENGER Ramon del Gado D—76 min. (932) (Rev. 5/10/48)	BIG CITY Margaret O'Brien Robert Preston D—103 min. (Rev. 3/24/48)	(Allied Artists) THE DUDE GOES WEST Eddie Albert Gale Storm C—87 min. (AAS) (Rev. 4/26/48)		SECRET SERVICE INVESTIGATOR Lloyd Bridges D—60 min. (Rev. 6/1/48)			(May Releases) ARTHUR TAKES OVER Lois Collier Jerome Cowan D—63 min. (Rev. 4/5/48) FURY AT FURNACE CREEK Victor Mature Coleen Gray D—88 min. (Rev. 4/7/48) THE IRON CURTAIN Dana Andrews Gene Tierney D—89 min. (Rev. 5/7/48) ANNA KARENINA Vivien Leigh Ralph Richardson D—110 min. (Rev. 4/18/48)	(May Releases) FOUR FACES WEST Joel McCrea Frances Dee D—90 min. (Rev. 5/14/48) THE TIME OF YOUR LIFE James Cagney William Bendix D—109 min. (Rev. 5/25/48)	(April-May Releases) BLACK BART (Color) Yvonne de Carlo Dan Duryea D—80 min. (Rev. 1/29/48) CASBAH Tony Martin Yvonne de Carlo D—84 min. (Rev. 3/3/48) ARE YOU WITH IT? Donald O'Connor Martha Stewart C—90 mi. (Rev. 3/17/48) DEAR MURDERER Eric Portman Greta Gynt D—84 min. (Rev. 6/20/47) ALL MY SONS Edward G. Robinson Burt Lancaster Howard Duff D—93 min. (Rev. 2/19/48)	
June 6		CLOSE-UP Alan Baxter D—76 min. (824) (Rev. 4/7/48)	THE PIRATE (Color) Judy Garland Gene Kelly M—102 min. (Rev. 3/29/48)	RANGE RENEGADES Jimmy Wakely O—57 min. (4811)	(Reissue) THE CRUSADES Loretta Young Henry Wilcoxon D—126 min. (7-3508) (Rev. 8/2/35) SHAGGY (Color) Brenda Joyce D—72 min. (4717) (Rev. 4/16/48)		(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (808) (Rev. 3/9/48) THE MIRACLE OF THE BELLS Fred MacMurray Frank Sinatra Valli D—126 min. (869) (Rev. 3/2/48) FORT APACHE John Wayne Henry Fonda D—127 min. (870) (Rev. 3/10/48)					WALLFLOWER Joyce Reynolds D—77 min. (726) (Rev. 5/19/48)
June 13		TIOGA KID Eddie Dean O—54 min. (858) (Rev. 3/11/48)		STAGE STRUCK Kane Richmond D—71 min. (4715)	HATTER'S CASTLE James Mason Deborah Kerr D—99 min. (Rev. 4/7/48)	TIMBER TRAIL Monte Hale O—67 min.					CASBAH Tony Martin Yvonne de Carlo D—84 min. (Rev. 3/3/48)	THE BIG PUNCH Wayne Morris D—80 min. (727) (Rev. 5/25/48)
June 20		MICKEY (Color) Irene Hervey D—87 min. (825)	ON AN ISLAND WITH YOU (Color) Esther Williams Peter Lawford MC—107 min. (Rev. 4/27/48)	TRIGGERMAN Johnny Mack Brown O—58 min.	WATERFRONT AT MIDNIGHT William Gargan D—63 min. (4719) (Rev. 5/7/48)		(Block 4) TARZAN AND THE MERMAIDS Johnny Weismuller D—68 min. (813) (Rev. 3/23/48) THE ARIZONA RANGER Tim Holt O—63 min. (Rev. 3/25/48)			(June Releases) SO THIS IS NEW YORK Henry Morgan Virginia Grey C—79 min. (Rev. 5/7/48) VICIOUS CIRCLE Conrad Nagel Fritz Kortner D—77 min. (Rev. 5/27/48)	ARE YOU WITH IT? Donald O'Connor Martha Stewart C—90 mi. (Rev. 3/17/48)		
June 27	THE FULLER BRUSH MAN Red Skelton Janet Blair C—93 min. (Rev. 5/7/48) BLAZING ACROSS THE PECOS Charles Starrett O	CANON CITY Scott Brady D—83 min. (826)		JINX MONEY Leo Gorcey C—68 min. (4717) (Rev. 5/20/48)	EMPEROR WALTZ (Color) Bing Crosby Joan Fontaine M—106 min. (Rev. 5/3/48)	TRAIN TO ALCATRAZ Don Barry D—60 min. EYES OF TEXAS (Color) Roy Rogers O					DEAR MURDERER Eric Portman Greta Gynt D—84 min. (Rev. 6/20/47)	ROMANCE ON THE HIGH SEAS (Color) Jack Carson Janis Paige M—102 min. (728) (Rev. 6/8/48)
July 4	THUNDERHOOF Preston Foster D—77 min.	THE SPIRITUALIST Turhan Bey Lynn Bari D—79 min. (827)				CODE OF SCOTLAND YARD Oscar Homolka D		(July Releases) MR. BLANDINGS BUILDS HIS DREAM HOUSE Cary Grant Myrna Loy Melvin Douglas C—96 min. (206) (Rev. 3/25/48) THE PARADINE CASE Gregory Peck Ann Todd Valli D—117 min. (105) (Rev. 12/30/47)				(June Releases) LETTER FROM AN UNKNOWN WOMAN Joan Fontaine Louis Jourdan D—90 min. (659) (Rev. 4/8/48)	
July 11		OLIVER TWIST Robert Newton D—115 min. (828)		THE SHANGHAI CHEST Roland Winters D—65 min. (4718)					(July Releases) ESCAPE Rex Harrison Peggy Cummins D—78 min. (Rev. 5/26/48) THE STREET WITH NO NAME Mark Stevens Barbara Lawrence D			
July 18		SHEO NO TEARS Wallace Ford June Vincent D—70 min. (829)			DREAM GIRL Betty Hutton Macdonald Carey C—85 min. (Rev. 5/6/48)				THE CHECKERED COAT Tom Conway D		ANOTHER PART OF THE FOREST Fredric March Ann Blyth D—107 min. (660) (Rev. 4/15/48)	
July 25	CORONER CREEK Randolph Scott Marguerite Chapman D—90 min. (Rev. 6/4/48) ARKANSAS LIVING Gloria Henry M	NORTHWEST STAMPEDE Joan Leslie James Craig O—79 min. (830)		16 FATHOMS DEEP Lon Chaney, Jr. D	BIG TOWN SCANDAL Philip Reed Hillary Brooks D—62 min. (4722) (Rev. 5/28/48)	GALLANT LEGION William Elliott O—88 min. (Rev. 5/28/48)	RETURN OF THE BADMEN Randolph Scott Robert Ryan O—90 min. (817) (Rev. 5/21/48) GUNS OF HATE Tim Holt O—62 min. (Rev. 5/21/48)		MINE OWN EXECUTIONER Burgess Meredith D—105 min. (824) (Rev. 6/7/48)	(July Releases) TEXAS, BROOKLYN AND HEAVEN Diana Lynn Guy Madison James Dunn C	RIVER LADY (Color) Yvonne De Carlo Rod Cameron D—78 min. (661) (Rev. 5/7/48)	
Aug. 1					SO EVIL MY LOVE Ray Milland Ann Todd D—109 min. (4723) (Rev. 5/24/48)		(Reissue) BRING 'EM BACK ALIVE Frank Buck D—65 min. (815) Rev. 3/25/32		(Aug. Releases) WALLS OF JERICHO Linda Darnell Cornel Wilde D DEEP WATERS Dana Andrews Jean Peters D			UP IN CENTRAL PARK Deanna Durbin Dick Haymes Vincent Price D—87 min. (662) (Rev. 5/26/48)
Aug. 8				A JOE NAMED PALOOKA Joe Kirkwood Elyse Knox D					THE WINNER'S CIRCLE Jean Willes D			

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 113 NEW YORK, U.S.A., FRIDAY, JUNE 11, 1948 TEN CENTS

U. K. Control Unit Members Reported Set

Wilson Seen Chairman, Eady, Somervell Members

LONDON, June 10.—Although the British composition of the Control Committee is being kept secret while questions of interpretation of the film tax agreement remain unsettled, informed sources here believe that Sir Wilfred Eady, Treasury official; R. G. Somervell of the British Board of Trade, and Harold Wilson, BOT president, already have been named.

Although Wilson is likely to be committee chairman for the British delegation, it is tacitly understood here that Somervell will be the real dicta-

(*Continued on page 4*)

Trans-Lux Plans To Double Circuit

Trans Lux Corp. will double its present circuit of eight theatres, it was disclosed here yesterday by Norman Elson, company vice-president. The expansion will be concentrated in the Metropolitan New York area, Elson said.

Edison Rice, a division manager for the Randforce Circuit of Brooklyn for the past five years, will become Trans-Lux's first division manager. He will take over on Monday.

The additions to the Trans-Lux circuit will not be confined to any specific

(*Continued on page 4*)

Some RKO Houses Here Increase Prices

A number of RKO neighborhood theatres in the Metropolitan New York area have established admission price increases, a company official said yesterday, explaining that the raises have not been general in the circuit but represent adjustments at individual locations to meet conditions existing in those areas.

In most instances the increase has been from 60 cents to 65, for adults, evenings.

Majors Will Oppose All Controversial Issues in U. S. Order

Virtually every section of the Government's proposed order in the Paramount case, with the exception of those portions bearing on issues that are not in controversy, will draw the fire of defense attorneys when the order comes up for hearing on Tuesday in District Court here before Judges Augustus N. Hand and Henry W. Goddard. This was learned yesterday in the wake of continuing strategy meetings of defense counsel.

Opposition to the proposed order is expected to center on the charges of monopoly in exhibition. Defendants are understood to be planning a vigorous stand against the Government's attitude on clearance.

It seemed certain yesterday that the theatre-holding defendants would oppose the provision that they be required to submit statements listing joint theatre ownerships claimed to involve investments by persons not actual or potential theatre operators. The feeling is said to be that this in-

(*Continued on page 4*)

Para. Also Remits For Arbitration

As of yesterday Loew's remained the only one of the five theatre-owning defendants in the industry anti-trust suit whose monthly assessment check had not been received by the American Arbitration Association. Paramount yesterday made its payment, thus indicating formally, as have RKO Radio, Warners and 20th Century-Fox, continued support of the industry arbitration system following the U. S. Supreme Court's May 3 ruling in the Paramount, *et al*, case.

Loew's payment is due early next week, it was said.

3 Percentage Suits Filed in New Haven

NEW HAVEN, June 10.—Harry L. Lavietes was named defendant in three percentage suits filed today by Paramount, 20th Century-Fox and Loew's in U. S. District Court. Involved is the Pequot Theatre, New Haven.

Joseph F. Berry of Day, Berry and Howard, Hartford, is attorney for the distributors, with Sargoy and Stein of New York as counsel.

Reveal New British Quota on Tuesday

London, June 10.—The Films Council concluded its debate today on the new exhibitor quota and forwarded its recommendations to Harold Wilson, president of the Board of Trade, who will announce the new percentage in the House of Commons on Tuesday.

The trade believes the percentage will be anywhere from 35 to 50. Anything over 35 is regarded as impractical and likely to result only in larger exhibitor defaults. J. Arthur Rank recommended a 50 per cent quota and other trade sources 40 per cent. New quota is effective June 30.

Mochrie Promotes Lefko, Silverman

Robert Mochrie, RKO Radio distribution vice-president, has appointed Maurice E. Lefko Eastern Central district manager, succeeding Milton Cohen, resigned. Lefko, who will have headquarters in Cleveland, has been with the organization for 18 years, most recently as branch manager in Pittsburgh.

David C. Silverman will succeed Lefko in Pittsburgh. Both changes will become effective on Monday. Silverman has been with the company for 24 years, and at present holds the post of salesman.

Orr Quits UA July 1 To Head Family Firm

Maury Orr, United Artists Western division manager, has resigned his post, effective July 1, to become president of the Orr Blanket Co. of Piqua, Ohio, it was announced here yesterday by Gradwell L. Sears, UA president. Orr has held his UA post for the past three years.

He entered the business as a Warner salesman in New York in 1941, becoming Cleveland branch manager soon after. In 1943 he joined UA in the latter capacity, and was promoted to Western division manager in 1945. No successor has been named. The Ohio company was founded by his grandfather.

Strong Stand On U. K. Tax Pact Likely

U. S. Film Industry Feels Agreement Is Endangered

A strong stand by the industry on indicated repudiations of the film tax agreement by British Board of Trade officials is likely to be taken at meetings today of the Motion Picture Association and M. P. Export Association. The agreement will become effective on Monday.

Trade leaders, gravely concerned over at least a half-dozen interpretations by British authorities which are regarded here as contravening the tax agreement, indicated yesterday that an uncompromising attitude is called for if the entire agreement is not to be abandoned.

One official said that if the agree-

(*Continued on page 4*)

Pending Labor Case To Decide UA Tilt

Anticipating an early Federal Court ruling with respect to the constitutionality of the non-Communist affidavit provisions of the Taft-Hartley Law, the National Labor Relations Board here left the jurisdictional dispute between the CIO's Screen Office and Professional Employes Guild and AFL's IATSE hanging in the balance yesterday following an NLRB

(*Continued on page 4*)

Ask Dismissal Today Of 5th-Walnut Suit

Distributor-defendants in the Fifth and Walnut Amusement anti-trust suit will move in U. S. District Court here today for a directed verdict of dismissal, their attorneys indicated yesterday as the plaintiff ended presentation of its case after four weeks of hearings before Judge Vincent L. Leibel and a jury of 12.

In making the motion, defense attorneys will hold that evidence brought out by plaintiff's trial counsel, Monroe E. Stein and Herbert J. Fabricant, has not been sufficient to warrant continuation of the trial.

DUEL in the SUN at regular prices

BOXOFFICE CHAMPION FOR THE MONTH OF MAY

Personal Mention

GRADWELL L. SEARS, United Artists president, entered New York Hospital yesterday for a periodic check-up.

•

DONALD SCHINE, president of Darnell Theatre Co. and son of Schine Circuit vice-president LOUIS W. SCHINE, and DAVID SCHINE, son of J. MYER SCHINE, will sail for Europe next Wednesday on the *SS Queen Elizabeth.*

•

REEVE O. STROCK, Westrex Corp. recording manager, is en route to London for a four-month stay to substitute for R. J. ENGLER, London recording manager, who will return here for home leave.

•

EDWARD L. HYMAN, Paramount Theatres Service Corp. vice-president, and MAX FELLERMAN, Paramount Theatres executive, will leave here Tuesday for Marion, O., en route to Detroit.

•

LEON ROTH, United Artists national promotion manager, will be in Chicago tomorrow from New York for the National Association of Music Manufacturers convention.

•

LOU LIFTON, Allied Artists-Monogram advertising-publicity head, will return to the Coast over the weekend after a two-week stay in New York.

•

WILLIAM GOETZ, Universal-International production executive, left the Coast yesterday en route to London for talks with J. ARTHUR RANK.

•

J. LAWRENCE SCHANBERGER, owner of Keith's Theatre, Baltimore, and MRS. SCHANBERGER, are observing their 28th wedding anniversary.

•

FRED JACK, United Artists Southern district manager, is in town from Dallas.

•

GEORGE A. HICKEY, M-G-M Western sales manager, is in New York from Los Angeles for a month's stay.

•

A. W. SCHWALBERG, Eagle-Lion sales head, will leave the Coast Sunday for Dallas.

•

HAL WALLIS left Hollywood yesterday for New York.

Petrillo Gets Another Term as AFM's Head

ASBURY PARK, N. J., June 10.—James C. Petrillo was nominated yesterday, without opposition, to again serve as president of the American Federation of Musicians. He will be elected tomorrow by the AFM convention here at the Berkley-Carteret Hotel.

The convention recommended today that AFM acquire or establish radio stations of its own, but Petrillo opposed the suggestion on the ground that they would "cost too much."

Insider's Outlook

By RED KANN

VISITING New York from London for the first time in well over a decade is Harry Rowson, veteran of the British industry and remembered well by many as the fountainhead of Ideal Films, Ltd., with his brother, Simeon.

At hand now is a letter in which he observes:

"I have been reading an advertisement in last Thursday's New York *Evening Post* beginning with 'Boycott Britain.'

"In MOTION PICTURE DAILY you have been giving cable reports from British newspapers in reference to an agreement recently concluded on behalf of the American film industry and the British Board of Trade which was intended to remove restrictions imposed nearly a year ago on the importation of films there.

"As a resident over 40 years ago, a frequent visitor and at one time the largest purchaser of films in this country for the British Isles I desire respectfully to make it clear to the film interests here and to the clergymen who have endorsed this 'Boycott Britain' advertisement that this and similar outbursts only provide fodder to powerful elements in the British Isles who, on financial grounds only, oppose imports of all luxuries, which comprise tobacco in the first place and films in the second.

"It is surely not difficult to anticipate the great possibility of retaliation and reprisal to boycotting suggestions when it is realized that this country exports to the British Isles luxuries many, many times the value of their imports to this country of things which the people there require and are forced to be without.

"A people which has twice in one generation—at times almost alone—faced and resisted an all-conquering enemy at the height of its success, struggling to recover from the consequences of these huge efforts will, I think, be able to face the loss of its great pleasure and enjoyment of smoking tobacco and seeing films.

"Instead of being intimidated by such a prospect, there is the great possibility of the people of the British Isles, quite apart from any government measures that may be taken, deciding to stop smoking or seeing films. What then?"

■

This much may be said:

There is no possibility of a boycott on the part of the organized industry. Responsible executives at the top level are not, would not, could not be parties to such a tactic. This was the fact when the impasse growing out of the 75 per cent *ad valorem* tax was at its very worst. It is now the fact in the political machinations which characterize the existing situation over the new State of Israel.

We have ample reason to make the statement, also, that no boycott of British goods, film and otherwise, ever has been considered by those Jewish agencies which are most prominently identified with the Zion-

■

But, in a situation in many ways as complex as this, it has to be realized that the attitudes and the actions of individuals and of individual organizations are quite apt to be independently pursued. There are different viewpoints on Palestine even within Jewish circles. It seems logical to assume this prevails in relation to Britain's official policy on Israel and that some, or perhaps many, of those in sharp disagreement consider their most effective method of protest is to ban British goods.

However, it does not follow that scattered action, or attempts to precipitate mass action, will be successful to that degree which would justify genuine concern. Nothing of such a nature has developed thus far, noisy inconsequentials notwithstanding. The probability is it will not.

■ ■

A hurdle jumped: "I have had a number of talks with Howard Hughes and we are in complete accord on present policy and on the projected program for RKO. We have a big schedule of pictures planned and all of us at RKO must now stop listening to rumors and bend all of our efforts to making as many good pictures as we possibly can."—*Dore Schary*, vice-president in charge of production.

■ ■

Enter Anthony Brady Farrell whose grandfather was Anthony N. Brady, utilities magnate, with purchase of the Warner Theatre, hard by Lindy's, as a future home for "Hold It!", stage musical of which he is the chief backer. Advance telegrams heralding a press interview to signalize acquisition of the theatre described Farrell as an "Albany multi-millionaire."

Asked a curious reporter, "How many millions would that be?"

Replied Farrell after due contemplation: "I can't keep track of everything."

$5,000 for Winners Of FC Sales Drive

Film Classics has earmarked $5,000 to be awarded to winners in the company's new product sales drive, now under way, it was disclosed here by B. G. Kranze, general sales manager. The drive will run another eight weeks.

Marie Van Slyke to E-L

Marie Van Slyke has joined Eagle-Lion as special home office promotion coordinator for J. Arthur Rank's "Oliver Twist" and "Red Shoes." She was formerly with the publicity departments of Paramount, 20th Century-Fox and Universal.

Scheinbaum with RKO

CHICAGO, June 10.—Dick Scheinbaum, former city sales manager for Paramount in Minneapolis, has joined the RKO Radio sales force here, replacing Art O'Toole who resigned because of poor health.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

PAULETTE GODDARD
MACDONALD CAREY
"HAZARD"
A Paramount Picture
PARAMOUNT TIMES SQUARE
IN PERSON THE KING COLE TRIO plus KAY STARR • PAT HENNING THE FOUR EVANS
RAY ANTHONY And His Orchestra
MIDNIGHT FEATURE NIGHTLY

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

RKO presents
"DESIGN for DEATH"
ACADEMY AWARD WINNER Best documentary feature of 1947!
Air-Conditioned
VICTORIA B'WAY AT 46th ST.
Doors Open 9:45 A.M. • Late Show Nitely

PEGGY CUMMINS - CHARLES COBURN
ROBERT ARTHUR
"Green Grass of Wyoming"
A 20th-Century-Fox Picture in Technicolor
PLUS ON STAGE—HARRY RICHMAN
THE CRADDOCKS - MING & LING
CHANDRA KALY and His Dancers
ROXY 7th Ave. & 50th St.

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20th CENTURY-FOX HAS MORE PICTURES PLAYING MORE DATES IN MORE THEATRES DURING JUNE THAN ANY MONTH IN HISTORY!

20th CENTURY-FOX

MEANS BUSINESS

WITH THESE HITS PLAYING!

Gentleman's Agreement

Captain From Castile
TECHNICOLOR

Call Northside 777

Sitting Pretty

The Iron Curtain

Scudda-Hoo! Scudda-Hay!
TECHNICOLOR

Fury At Furnace Creek

Anna Karenina

Green Grass of Wyoming
TECHNICOLOR

Tribute to
ANDY SMITH
month of
JUNE!

20th CENTURY-FOX

MEANS BUSINESS

WITH THESE HITS COMING!

Give My Regards To Broadway
TECHNICOLOR

The Street With No Name

Escape

The Walls of Jericho

Deep Waters

The Shamrock Touch

Martin Rome

That Lady In Ermine
TECHNICOLOR

The Snake Pit

Query Quota Status Of Korda-Selznick

LONDON, June 10.—Questioned in the House of Commons today as to whether films to be made in England under the recent Korda-Selznick deal could be counted for the quota, Harold Wilson, president of the British Board of Trade, replied that it would depend on whether the labor cost provisions of the Cinematograph Act were fulfilled.

According to provisions of the act, pictures, to qualify for quota eligibility, must have shown British labor costs amounting to a given proportion of the total production cost. Wilson further pointed out in replying to the Commons question that the British labor cost concerned could not be finally determined until a picture is completed.

Hollywood Films At Venice Festival

American film companies have accepted an invitation to participate in the 1948 Venice Film Festival, August 11-26, the Motion Picture Association of America announced here yesterday. The festival is held under the auspices of the Italian government and the International Exhibition of Cinematographic Art of Venice, in cooperation with the Italian Motion Picture Technical Association.

N. J. Allied Socials

Several social events, including television entertainment, a golf tournament, a day at the Monmouth Race Track, a swimming-diving exhibition and a number of cocktail parties have been arranged in conjunction with the annual convention of Allied of New Jersey, to be held on June 28-30 at the Hollywood Hotel, West End, N. J., it was reported here yesterday by Wilbur Snaper, convention chairman.

Owners Promote Safety

WASHINGTON, June 10. — District theatre owners will cooperate with Washington's safety drive by showing a special safety trailer and distributing over 250,000 copies of a four-page safety booklet, according to A. Julian Brylawski, chairman of the local theatre owners' traffic committee.

MPEA Talks in Prague

PRAGUE, June 10.—Negotiations are under way here for a new contract for exhibition of U. S. product in this country, the Motion Picture Export Association announced today. The last pact expired in December.

OF COURSE
you'll make money with...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Review

"Bad Sister"

(*Rank-Universal-International*)

A WORLD of theatricalism has gone into the creation of this British film in an effort to brew a storm of emotions. While a good deal of the material is forced and stilted, it may be depended upon to wring a fair quota of tears from the feminine brigade, especially since a lot of the action involves two children, one poor, the other rich.

The production tells two stories of misery, one that of Joan Greenwood, a victim of poverty who attempts to kill her illegitimate baby and herself in her despair, the other that of Margaret Lockwood, a woman of means whose husband's (Ian Hunter's) dominance keeps her from sharing in the life of her young daughter and results in divorce. Robert Westerby, A. R. Rawlinson and Moie Charles, who did the screenplay from the Flora Sandstrom novel "The White Unicorn," have set one story against the other in an endeavor to work out the reformation of Miss Greenwood under the guidance of Miss Lockwood, warden of an institution for delinquent girls to which the former is committed. At the end woe gives way to happiness as the two mothers are about to be reunited with their children. A John Corfield production turned out with care by Harold Huth, the film was directed by Bernard Knowles a bit too stiffly although with full regard for the dramatic possibilities of the story. The acting is sincere.

Running time 90 minutes. Adult audience classification. For June release.

P.E.L.

U. K. Tax Pact

(*Continued from page* 1)

ment is not to be honored in both spirit and letter by British officials, their default should be called to the attention of the State Department for appropriate action. It was intimated that the American industry will stand pat on the wording of the agreement but that this position, regardless, might not eliminate the necessity for Eric Johnston, MPAA president, and James A. Mulvey, representative of the Society of Independent Motion Picture Producers, returning to London for a showdown.

Contest Ban on Pooling Funds

An example of the indicated repudiation of the tax agreement is the British interpretation that blocked funds cannot be pooled for production purposes there, industry officials contend. They maintain the agreement clearly permits the pooling of funds for that purpose since it provides for financial participation "in whole or in part."

It is also contended that the British interpretation that blocked funds cannot be used for payment of expenses and services anywhere in the sterling area contravenes the agreement.

Comparable rulings on other phases of the agreement cast doubt on British intentions in the whole matter, some executives here feel.

Concern Over Quota Suggestion

Executives are concerned also over J. Arthur Rank's recommendations of a 50 per cent exhibitor quota to the British Films Council, starting June 30. Rank had previously indicated that his theatres will use only 12 features each from Universal, RKO Radio, 20th Century-Fox and Paramount, and eight from Eagle-Lion, during the 1948-'49 season. Columbia and United Artists would be excluded entirely.

Rank is reported to have indicated that his theatres will comply with a 50 per cent quota and, if possible, will maintain a 60 to 65 per cent ratio of British product. Officials here point out that the result could be a further reduction of the American film bookings presently contemplated for the new season by Rank.

Build Nebraska House

SCHUYLER, Neb., June 10. — Work has begun here on a new 600-seat theatre to be operated by E. G. Gannon.

UA Labor Tilt

(*Continued from page* 1)

conference participated in by representatives of both unions and United Artists officials.

An NLRB spokesman pointed out at the conference that the situation whereby "an overwhelming majority" of UA "white collar" home office workers deserted SOPEG for membership in "IA's" Home Office Employes Local No. H-63 is patterned precisely along the lines of a labor jurisdictional case involving United Electrical Workers and United Automobile Workers in U. S. District Court here, and on which Federal Judge Rifkin's ruling has been pending for four weeks.

If Rifkin's ruling should uphold the right of the company in the UE-UAW case, Parker-Kalon Co., to refuse to deal with a union that had failed to file non-Communist affidavits, it appears UA will be sustained in its refusal to bargain with SOPEG for the same reason, it was said. In that event, the NLRB would comply immediately thereafter with H-63's petition for a shop election at the UA home office, the NLRB spokesman added.

By awaiting Rifkin's ruling, NLRB explained, both unions save time and money in settling their dispute.

Control Unit

(*Continued from page* 1)

tor in the committee's deliberations.

On the American side of the Control Committee, in addition to F. W. Allport, Motion Picture Association of America representative here, and Frank McCarthy, temporary member, will be Donald Bliss, commercial attache of the American Embassy here. Allport may alternate with Wilson as committee chairman.

Although the tax agreement theoretically begins to operate on Monday, the MPAA talks with government officials here on interpretations of the agreement are still continuing and the end is not yet in sight.

Meanwhile, Wilson's "Molotov attitude" on the permitted-uses schedule of the agreement is provoking persistent rumors here that the MPAA's Eric Johnston and the SIMPP's James Mulvey may be obliged to come here shortly to revive the whole discussion on the agreement.

NAB Head Hits Bill On Powers of FCC

WASHINGTON, June 10.—The "freedom of speech" passage in the Supreme Court's decision in the industry anti-trust case was cited today by Justin Miller, National Association of Broadcasters president, in opposing the new White bill. He said that Federal Communications Commission control of program content, provided in the proposal, would in effect repeal Constitutional guarantees of freedom of speech and press, and referred to the high court's decision last month that films, like newspapers and radio, are included in the guarantees of freedom in the First Amendment.

Miller also asked whether the FCC would exert control over Facsimile.

FCC Authorizes Facsimile

WASHINGTON, June 10.—Commercial Facsimile, the technique of broadcasting words and pictures into special home receivers, has been authorized by the Federal Communications Commission, beginning July 15, and using the FM band. Heretofore it has been experimental.

New Film Projector Displayed by RCA

The new 35mm. Brenkert projector for medium-size theatres was introduced by RCA yesterday at its Exhibition Hall in Radio City. The demonstration marked the opening of the 40th anniversary of Brenkert Light Projection Co., RCA subsidiary. Karl Brenkert, president of the firm, presided at the demonstration.

FCC Defers Hearing

WASHINGTON, June 10.—The Federal Communications Commission has postponed from June 14 to June 29 its proposed hearing on plans to reallocate the 12 television channels. Commission said its action was to give interested parties additional time to become familiar with the various proposals and prepare statements.

Must File Real Names

BOSTON, June 10.—The Massachusetts legislature has voted a bill compelling entertainers who perform under professional names to file their real names with the State Commissioner of Public Safety.

Trans-Lux

(*Continued from page* 1)

type of house. Some will play double features and some singles in contrast to the present policy of single features and newsreels, a policy which will be retained by the circuit for its present houses.

Percy N. Furber has been made honorary chairman of the company's board; his son, Percy E. Furber, for 11 years president, succeeding him as chairman. The new president is William M. Girden.

U. S. Order

(*Continued from page* 1)

formation should be sought in some other manner than through such an order.

The view in some quarters is that the Government in presenting the order is seeking a short cut to a final judgment without the necessity of presenting any additional evidence.

The proposed order was filed in District Court here yesterday.

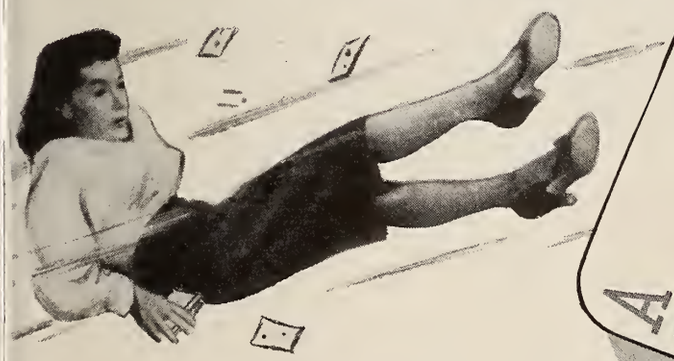
Broadway's famous critics bet on Paulette in her gayest comedy romance yet...

AND THE N. Y. PARAMOUNT **COLLECTS** *—WITH LOBBY-CROWDING THRONGS WHO SEE BY THE PAPERS THAT*

'Hazard' is tops. If you're looking for entertainment, this is your dish. Among the happiest of the season."
—*Lee Mortimer, Daily Mirror*

'Slapstick roughhouse fight in which Paulette finds herself entangled with Macdonald Carey sends the audience into stitches." —*Kate Cameron, Daily News*

'A picture you'll be glad to have seen."
—*Alton Cook, World-Telegram*



'Very funny. Paulette is involved in a cross-country chase admirably assisted by Macdonald Carey who is excellent."
—*Howard Barnes, Herald Tribune*

'A picture made solely for the purpose of entertaining people. A remarkable young actor named Stanley Clements is wonderful." —*Archer Winsten, New York Post*

It'll Warm Up Your Boxoffice For That Summer Hit Wave From PARAMOUNT

with
FRED CLARK
STANLEY CLEMENTS
FRANK FAYLEN
MAXIE ROSENBLOOM
Produced by
MEL EPSTEIN
Directed by
GEORGE MARSHALL
Screen Play by Arthur Sheekman and Roy Chanslor

Watch EAGLE LION *because...*

EAGLE LION has "RAW DEAL," box-office successor to terrific "T-Men." Produced by Edward Small with original "T-Men" team, it stars Dennis O'Keefe, Claire Trevor, Marsha Hunt.

EAGLE LION has "OLIVER TWIST" world-beloved Charles Dickens story. Presented by J. Arthur Rank, and brought to the screen by the men who made "Great Expectations!"

EAGLE LION has Paul Henreid and Joan Bennett, in "HOLLOW TRIUMPH," star-teamed for big box-office in one of the most powerful man-woman stories ever filmed!

EAGLE LION has Hedy Lamarr and Robert Cummings riotously together in "LET'S LIVE A LITTLE." Marquee-powered stars in the laugh show headed for top grosses!

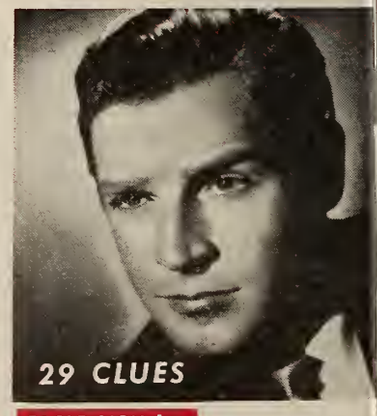
EAGLE LION has "CANON CITY" —savage, factual drama of recent Colorado State Prison break. Told with the naked fury of truth. Introduces Scott Brady.

EAGLE LION has Lois Butler, America's new sweetheart, in "MICKEY." Filmed in Cinecolor. Her glorious voice will thrill millions in this heart-warming teen-age story.

EAGLE LION has "NORTHWEST STAMPEDE," year's greatest outdoor action spectacle, in Cinecolor. Joan Leslie, James Craig, and Jack Oakie are starred.

EAGLE LION has . . . the official Technicolor filmization of the "1948 OLYMPIC GAMES," presented by J. Arthur Rank. The biggest screen scoop of the year!

EAGLE LION has "TULSA," in Technicolor, starring Susan Hayward. Walter Wanger's production is the rip-roaring spectacle of a brawling boom town!



EAGLE LION has Richard Basehart with Scott Brady, in the much-discussed "29 CLUES." Title is tip-off to one of the most dramatic manhunts ever filmed! Top exploitation thriller!

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 114 NEW YORK, U.S.A., MONDAY, JUNE 14, 1948 TEN CENTS

DO NOT REMOVE FILE COPY

1st Twin City MGM Bids for Subsequents

See System Possibly Extended in the State

MINNEAPOLIS, June 13. — Sales policy precedent has been established here by Metro-Goldwyn-Mayer with its invitation to Twin Cities independent neighborhood exhibitors to bid for its product for the first time in Minneapolis-St. Paul.

This was disclosed when the operators of the Richfield and Boulevard theatres were notified that M-G-M would accept bids from the two houses on future releases. "The State of the Union" is expected to be the first to be set up for bidding.

Formerly an account of Metro, the Boulevard is zoned for a 56-day clearance after first-run, and the Richfield, located less than two miles distant in suburban Richfield, has not used M-G-M product since the house opened last year. The latter has been

(Continued on page 3)

Decisions Please Independents: Myers

WASHINGTON, June 13.—Independent exhibitors are "well pleased" with the Supreme Court decisions in the industry cases, Abram F. Myers, Allied States chairman and general counsel, reported at the weekend after attendance at exhibitor meetings in many parts of the country during the past month. The decisions were the principal topic of discussion at the meetings.

Myers said that independents feel a new "code of conduct" has been pre-

(Continued on page 3)

Republic Dismissed In 5th-Walnut Suit

Charges against Republic in the Fifth and Walnut Amusement anti-trust suit were dismissed in U. S. District Court here at the weekend by Federal Judge Vincent L. Leibel who ruled against the dismissal pleas of all other defendants, including Warners, Columbia, Loew's, 20th-Fox, Paramount, United Artists, RKO Radio and Universal. Meyer H. Lavenstein was Republic's trial counsel.

Monroe E. Stein, plaintiff's attor-

(Continued on page 3)

$7,311,000 6-Month WB Net; '47 Period Netted $14,013,000

Warner Brothers reports a net profit of $7,311,000 for the six months ending February 28, after provision of $5,200,000 for Federal taxes. Net profit for the six months ending March 1, 1947 totaled $14,013,000, after provision of $8,400,000 for Federal taxes.

The net profit for the 1948 six months is equivalent to $1.00 per share on 7,295,000 shares of common stock outstanding. Net for the corresponding period last year was equivalent to $1.89 per share.

Film rentals, theatre admissions, sales, etc., after eliminating inter-company transactions, for the six months ending February 28, amounted to $75,852,000, compared with $85,053,000 for the corresponding period in 1947.

Current and working assets on February 28 were $69,140,216, including cash of $14,191,229, against current liabilities of $29,659,289. Total assets were $181,337,396.

Cohen Named E-L Division Manager

Milton E. Cohen has been named Eastern division sales manager for Eagle-Lion Films, effective immediately by William J. Heineman, distribution vice-president. He will supervise ten branches.

A veteran of many years as a film

(Continued on page 3)

ECA in a Quandary Over Media Funds

Washington, June 13.—Officials of the Economic Co-operation Administration are still trying to determine how they will administer the convertibility guaranty provided films, books and other information media in the European Recovery Program, a top ECA official said.

He declared that working out policy on the information fund is one of the toughest problems of the ERP program, and it might be several weeks or longer after the funds are voted by Congress before the ECA is ready to tell publishers and film producers to "come and get it."

Louisiana Owners Fight 3 Tax Bills

WASHINGTON, June 13.—Louisiana exhibitors are confident of blocking three theatre tax bills now pending in the state Louisiana legislature, according to Jack Bryson, legislative representative of the Motion Picture Association of America. The bills are a two per cent sales tax, a 10 per cent admission tax, and a special theatre license tax which graduates the license fee in proportion to a theatre's rentals.

Louisiana and Massachusetts are the only two state legislatures still in session; the latter is slated to adjourn in a few days.

"A Foreign Affair"

[*Paramount*] — Slick, Sleek and Smart

PRODUCER Charles Brackett and director Billy Wilder combine their talents on behalf of a romantic comedy with a post-Berlin background. Their talents shine all the way, suffusing the script which they wrote with Richard Breen and the performances which they drew with brightness and intelligence without ignoring the demands of the crass commercial.

In several of its approaches the story of an inhibited Congresswoman from Iowa investigating the morale of United States troops in the American zone in Germany conveys a familiar ring, although its locale is new. She is Jean Arthur, burying herself in the manifold duties of a legislator but re-aroused emotionally on contact with John Lund, Army captain carrying on with Marlene Dietrich, ex-mistress of a Gestapo bigwig and prepared to resume the Hitler line.

Actually, Lund starts Miss Arthur's emotional dynamo humming in an effort to keep her off Miss Dietrich's recorded trail. Unplanned or otherwise, he begins to fall for the icebound solon from Iowa—his own state, too—as he falls out of the glamour sphere which Miss Dietrich has woven around him. The situation turns complicated when Miss Arthur learns of l'affaire Dietrich-Lund from Marlene's own lips and further so

(Continued on page 3)

Industry Will Stand 'Pat' on UK Agreement

Await Developments As Pact Is Now In Effect

Indications following Friday's meeting of company heads and foreign managers at Motion Picture Association offices here were that the American industry will stand pat on the language of the film agreement as negotiated in London last March by Eric Johnston and James Mulvey.

Possible repudiations of the the agreement which have been suggested in London in at least six instances apparently will be ignored for the present pending completion of the present work on clarification of the agreement, it was indicated.

However, should the suggested evasions of the pact be translated into official action in Britain in carrying out the agreement, which is effective as of today, a firm stand will be taken

(Continued on page 2)

Rank's G-B-Odeon Pool Seen Set Up

LONDON, June 13.—Calling off a trade press conference here on Monday by John Davis, top aide to J. Arthur Rank, to elucidate on the formation and operation of Rank's new Circuit Management Association, Ltd., would indicate that the long-contemplated pooling of the G-B and Odeon circuits has been completed. There are some 555 theatres in the two groups. Approval of the Kinemato-

(Continued on page 2)

UJA Unit To Honor Mayer Here June 29

Louis B. Mayer will be honor guest at a dinner at the Hotel Astor here on June 29, to be given by the amusement industry division of the United Jewish Appeal. Barney Balaban, S. H. Fabian and Emil Friedlander are chairmen of the affair. Louis Nizer will be toastmaster, David Weinstock, representing the exhibitors committee, is in charge of reservations.

Personal Mention

STEVE BROIDY, Allied Artists Monogram president, will leave Hollywood Thursday for New York.

•

MOE KERMAN and J. J. FELDER, president and vice-president, respectively, of Favorite Films, left here at the weekend for the Coast, with a scheduled stop-off in Chicago.

•

WILLIAM GOETZ, Universal-International production head, and Mrs. GOETZ, who arrived here Friday from the Coast, will sail for London Wednesday on the *SS Queen Elizabeth*.

•

EDWARD L. WALTON, Republic assistant sales manager, left here yesterday for San Francisco. He will return next month.

•

SYD GROSS, assistant to Film Classics advertising-publicity director AL ZIMBALIST, will fly to Buffalo today from New York.

•

Y. FRANK FREEMAN, Paramount production executive, has arrived here from Hollywood.

•

PAM BLUMENTHAL, Cinecolor board chairman, left here over the weekend for Hollywood.

•

WILLIAM A. SCULLY, Universal-International general sales manager, returned here Friday from Kansas City.

•

WILLIAM F. RODGERS, M-G-M distribution vice-president, will go to Boston on June 21.

Selznick Plans Film Production for Video

HOLLYWOOD, June 13.—David O. Selznick is preparing to form a company to produce films for television, he disclosed here at the weekend. Details of the project are expected to be announced shortly.

Selznick Television Corp. of Dover, Del., recently filed a registration certificate in Albany, N. Y., to do business in New York.

Five More Percentage Suits Are Settled

BOSTON, June 13.—Five percentage suits pending in Superior Court here have been settled, with final decrees entered in suits filed by Warner, Paramount, Loew's Universal and 20th Century-Fox. Theatres involved were the Capitol in Malden, Capitol, Bridgewater, and the Stoneham in Stoneham.

SMPE Meet Wednesday

Demonstration of developments in sound reproduction will be given to the Society of Motion Picture Engineers here by Dr. Harry F. Olson, director of RCA's acoustical laboratories, Wednesday evening. It will be open to non-members.

New Levies on Films Looming in France

WASHINGTON, June 13.—The State Department has received confirmation of a Motion Picture Export Association report that the French Assembly's finance committee has approved new taxes on admissions and on film footage, it was disclosed here by a department spokesman. The levies were approved by the Assembly's press and cinema committee in May.

Motion Picture Association of America and MPEA representatives in New York declined at the weekend to disclose details of the French tax measure on admissions and footage.

British Lion Now Controls 3 Studios

LONDON, June 13.—British Lion has obtained a long-term lease on British National Studios at Elstree. The company also controls studios at Shepperton and Isleworth.

Sir Alexander Korda will commence production at Elstree in July. Herbert Wilcox also has a high Elstree production priority.

GB, Odeon

(*Continued from page* 1)

graph Society had been sought, and apparently has been given.

As stated in MOTION PICTURE DAILY on June 2, earnings from all of the theatres would go into a pool controlled by the new company and shared between them on a basis of their respective earnings over the last three years. The split will be made on a basis of 57 per cent to Odeon and 43 per cent to G-B.

Rank has emphasized that the plan is not a merger but a pooling operation designed to streamline the two circuit operations and thereby effect desired economies.

Canadian Exports Are Increasing

OTTAWA, June 13.—Exports of films from this country are increasing, rising to $302,000 in April, 1948, compared with $151,000 in April, 1947, and totaling $1,231,000 in the first four months of 1948, against $846,000 in the corresponding period last year.

Solon Honors Balaban

WASHINGTON, June 13.—Rep. John W. McCormack on Friday told Congress that Paramount President Barney Balaban delivered an "inspiring speech" on June 3 in Boston, at the dinner of the Massachusetts Committee of Catholics, Jews and Protestants. McCormack put the entire text of Balaban's address into the *Congressional Record*.

Postpone Artkino Hearing

Motions in connection with Artkino's action to restrain Film Classics from using Russian-made footage in "Will It Happen Again?" will be argued next Friday in New York Supreme Court here, attorneys for both sides having agreed at the weekend to a postponement from last Friday.

U. K. Agreement

(*Continued from page* 1)

by the American industry, it appears certain.

Meanwhile, there is no present prospect of Johnston or Mulvey returning to London for showdown discussions, it was stated. The American industry will adhere to the letter of the agreement and expects British officials to do the same.

Further "clarification" of the agreement was accomplished in London last week on questions referred by Johnston to F. W. Allport, MPAA's London representative, in discussions with R. G. Somervell of the British Board of Trade. The "clarifications" obtained will be studied by Johnston and, perhaps, referred back to London with other points still at issue.

Commons to Debate Thursday

The House of Commons is tentatively scheduled to debate the whole film agreement situation on Thursday.

Under the agreement, which is now in effect, Britain will authorize the remittance to the U. S. of approximately $1,416,000 monthly. Allocations will be made quarterly to American producer-distributors on a basis to be determined by the proportion which the three months billings of their individual releases bear to the total of American film billings in Britain. This will account for the $17,000,000 total annual remittance permitted by the agreement.

Additional remittances equivalent to the American earnings of British pictures will be determined later, probably on an annual basis. The remainder of American film earnings in Britain will remain there, with 27 permitted uses prescribed for it.

Remittances Control Starts Today

Full and unregulated remittances of American film earnings in Britain ended last midnight.

The detailed paper work of handling and allocating remittances may be turned over to an industry clearing house to be set up in London. The clearing house idea was discussed at Friday's meeting in a general canvass of the whole foreign situation, including the new British exhibitors' quota to be announced tomorrow in London.

Re-negotiation of the Blum-Byrnes accord and France's recent offer, still in negotiation, to release $5,000,000 of frozen industry funds in the next three years, with a concurrent freezing of future earnings, also were discussed. Sessions included the regular quarterly MPAA board meeting and a special meeting of the board of MPEA.

Correction

A. W. Schwalberg, assistant to Charles M. Reagan, Paramount vice-president in charge of distribution, was inadvertently identified in MOTION PICTURE DAILY last Friday as Eagle-Lion sales head, his former position. Schwalberg joined Paramount last winter, with William J. Heineman becoming vice-president in charge of distribution for E-L.

Newsreel Parade

THE TRUCE in Palestine and the tour of President Truman mark current newsreel highlights. Other events are graduation at West Point, Olympic swimmers in action, and an ERP talk by Senator Vandenberg. Complete contents follow:

MOVIETONE NEWS, No. 47.—Palestine truce opens way to peace. President Truman hailed in Far West. Senator Vandenberg and the ERP. Atlantic City Shriners parade. West Point graduation. President Auriol visits Normandy. U. S. visitors flock to Canada. U. S. Olympic divers.

NEWS OF THE DAY, No. 281.—GOP convention preview. President Truman relaxes. West Point graduation. Normandy four years after. Diving stars show pre-Olympic form. Sail boat race for teen age skippers.

PARAMOUNT NEWS, No. 84. — Water sports: Tuna fish on the hook. Interfaith group in Boston honors Americans. Vacation season here again. *SS Queen Mary* brings Sir Ralph Richardson. Senator Vandenberg assails cut in foreign aid. Palestine cease-fire showdown.

UNIVERSAL NEWSREEL, No. 151.—Senator Vandenberg blasts ERP fund slash. President Truman continues pre-election tour. West Point graduation. New exemption for tourists in Canada. Third generation midgets' second birthday. Olympic divers in Los Angeles.

WARNER PATHE NEWS, No. 86.—West Point graduation. People in the news: Vandenberg, Truman, King Michael and Princess Ann, Count Bernadotte. Canada tourist boom. Fashions in the swim. Underwater picnic. Flee-weight fighters. Great Americans: Custer's last stand.

Spills, Excitement In Fight Pictures

In a notable feat of speed and skill, pictures of the championship bout between Rocky Graziano and Tony Zale were being shown in Metropolitan theatres here less than 12 hours after the contest took place Thursday night. Increase in business was reported by RKO at the Palace Theatre on Broadway as well as at other RKO houses where the fight films were shown. At the Trans-Lux newsreel theatre on Broadway, manager Weber Schoening reported a substantial increase.

Produced by Coram Pictures Corp., prints on Friday were on their way to exchanges from Coast to Coast.

The film itself runs 17 minutes, and through its excellent camerawork, recaptures all the spills and excitement of the fiery three-round spectacle. It offers a better than ringside view of the hostilities, as seven cameras manned by crews of 30 camera and sound men caught the flurries and exchanges from every vantage point. Decisive blows and knockdowns are later re-run in slow motion. Some of the pre-fight and post-fight ringside color is also included in the film.

M.H.

New Schaefer Firm

A change of name to Selected Films, Inc., has been registered in Albany by George J. Schaefer Associated, Inc. Schaefer said Friday the change had been made to avoid any conflict with his association with Enterprise, of which he is head.

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"A Foreign Affair"

(Continued from page 1)

when Lund is ordered to continue the romance in order to capture the Gestapo big shot whose attraction for Miss D. brings him into the open where he is eliminated from the scene. Finally, the two Iowans are brought together through Millard Mitchell, Lund's colonel, as Miss Dietrich is hauled away to a labor camp.

This is the kind of role in which Miss Arthur, absent from the screen since "The Impatient Years," four years ago, excels. Her selection for the part could not have been improved upon nor could her performance. She is excellent in getting across her established mannerisms and histrionic gadgets and should not be permitted to allow another four years to elapse before her capabilities as a polished performer are to be seen.

Miss Dietrich, too, is splendid as the glamorous woman of the world who knows her onions and her men. She looks the part of the stunning demi-monde and, provided there is manly chivalry left in a strife-torn world, should accelerate the art of the wolf call into an unexplored high. One of her three song numbers is called "Black Market" in which she offers her bistro audience her undeniable charms for sale. This is a highly sophisticated number which advances to the borders of the risque and becomes unnecessarily dirty.

The good-looking Lund is effective as the pivot around which both women tussle. Mitchell, with not too much to do, is perfectly swell as the hard-bitten and often harassed colonel. In fact, all performances, large and small, are expertly guided under Wilder's sure hand.

The story line is strengthened immeasurably by the director's many adroit touches and the fluidity with which he combines actual shots of bombed-out Berlin with his fictional material. An assist of no mean proportions is a script punched through with first-class dialogue, developed from an original story by David Shaw and an adaptation by Robert Harari.

Running time, 116 minutes. General audience classification. Release date, August 20, 1948.

RED KANN

"Lulu Belle"

(*Columbia*)

THE PRESENCE of Dorothy Lamour as a nightclub singer in an old-fashioned melodrama should be a comforting thought to many a showman. As popular entertainment, "Lulu Belle" has its moments of interesting drama as well as some pleasant rounds of song, but, generally, it is weakened by a script that lacks reality. It should, nonetheless, have a decided appeal to women, since it recounts the story of a lady who wanted to get ahead even at the expense of others. Miss Lamour has the title role, with others in the cast including George Montgomery, Albert Dekker, Otto Kruger and Glenda Farrell.

A Benedict Bogeaus production with a turn-of-the-century setting, it has Miss Lamour start her career in a cheap Natchez dive. She capriciously marries Montgomery, but her driving determination is to get ahead, and so along the way she exploits a succession of men, discarding them when they are no longer of help to her. The film is told in flashbacks which frequently take melodramatic turns, including a shooting, before the happy finale.

Characterizations are generally conventional. The screenplay was written by Everett Freeman, from the play by Charles MacArthur and Edward Sheldon. Miss Lamour also is provided an opportunity to cavort in an array of fetching gowns. Leslie Fenton directed.

Running time, 87 minutes. Adult audience classification. Release date, not set.

MANDEL HERBSTMAN

Decisions

(Continued from page 1)

scribed which will end "the most serious abuses."

He said that independents now "must be bold" in their thinking and the assertion of their rights under the decisions, adding that they no longer need fear retaliation. He advised exhibitors not to bring bad cases into court or the ground gained may be lost.

Twin City Bids

(Continued from page 1)

buying product on a 42-day clearance after loop runs.

Under the Metro offer, bidding between the two houses will be on a 42-day clearance schedule. (The Boulevard recently demanded of Metro and other majors better clearance than the 56-day setup, stipulating that rentals should not be raised on threat of law suits.)

Metro surprised film circles here some weeks ago with the announcement that the semi-legitimate Lyceum Theatre was successful bidder for three pictures in the Minneapolis Loop against Minnesota Amusement Co., the RKO Orpheum and Pantages, and the World.

It is expected additional competitive situations will be opened in the Twin Cities and possibly elsewhere in the state.

Tom, FC Sign Deal

Chinamerica Film Exchange of Hong Kong will distribute Film Classics product in China under a deal concluded here between David Horne, FC foreign sales manager, and C. Y. Tom, Chinamerica president.

Two Candidates for License Post Here

New York City's new commissioner of licenses, a post directly related to many phases of motion picture activity here, will be either Myles H. Lane, former U. S. assistant district attorney, or Denis McMahon, chief district field officer of the Internal Revenue Bureau in this area, it is reported in City Hall circles here. Mayor William O'Dwyer is said to regard these two as the outstanding candidates for the post which will be vacated on July 1 by Commissioner Benjamin Fielding who has resigned to take an executive post with Loew's.

Cohen Named

(Continued from page 1)

sales executive and for the past two years East-Central district manager for RKO Radio, Cohen first joined Columbia as Chicago salesman, later being promoted to sales manager in Detroit. In 1938 he resigned to become Detroit salesman for RKO, and was promoted to manager. In 1946 he was named district manager.

Republic Dismissed

(Continued from page 1)

ney, opposed all pleas for dismissal, holding that the evidence submitted thus far in the four-week-old trial pointed to a conspiracy on the part of the defendants to deprive Fifth and Walnut's National Theatre, Louisville, of first-run product.

Montague to Preside In Chicago Today

CHICAGO, June 13.—Second of two Columbia sales meetings will get under way here tomorrow morning in the Drake Hotel, and will continue through Friday, with A. Montague, general sales manager, presiding. First meeting was held last week in New York.

Four division managers and 17 branch managers will attend, in addition to the following from the home office: Rube Jackter, Louis Astor, Louis Weinberg, Irving Wormser, Maurice Grad, George Josephs, H. C. Kaufman, Joseph Freiberg, Seth Raisler, Irving Sherman, Sydney Singerman, Vincent Borelli and Irving Moross as well as division managers.

Council Leader Sees Censor Bill's Defeat

The Cunningham censorship bill to broaden the city license department's powers over films, stage shows and their advertising has scant chance of being enacted when it comes before the New York City Council tomorrow, Joseph Sharkey, Democratic vice-chairman and majority leader in the Council, has declared. The bill is not an administration measure, he also said.

Even if Council votes favorably on the proposal tomorrow, it must be acted upon by both the Board of Estimate and the Mayor, and public hearings would be held before both, Sharkey pointed out.

All America will soon be seeing Lois (MICKEY) Butler, and hearing her glorious voice in Eagle Lion's Cinecolor production, "MICKEY," starting with world premieres in Des Moines and Moline, and more than a hundred day-and-dates the last week in June.

SPECIAL OFFER: To every exhibitor, a free copy of Lois (MICKEY) Butler's latest Capitol recording "Dreams in My Heart." Write, wire, or phone Exploitation Department, Eagle Lion Films, 165 West 46th Street, New York 19, N. Y.

THE PICTURE THAT PUTS

MAN-EATER

starring

SABU as "Narain" JOANNE PAGE as "Lali"

and

WENDELL COREY as The Hunter

with MORRIS CARNOVSKY

DIRECTED BY BYRON HASKIN · PRODUCED BY MONTY SHAFF

BEST-SELLER SENSATION!
BOOK OF-THE-MONTH!
READER'S DIGEST!
and CORONET!

The adventure that electrified 20,000,000 readers! NOW! the screen's most unforgettable excitement!

SHOWMANSHIP

BACK INTO SHOW BUSINESS!

It's gonna be a lot of fun getting back in the showmanship groove again. Yes, boys, ballyhoo days are here again! It's been a long time since you've had an opportunity to go to town with the kind of showmanship that built this business. Here's your chance!

Everybody in our publicity and exploitation departments is excited over sure-fire "Man-Eater of Kumaon." And why not?

Look what they've got to work with — and look what you've got to work with... ***KEY CITY TOUR OF MAN-EATING TIGER!***

SPECIAL FIELD FORCE FOR KEY CITY ENGAGEMENTS!

TREMENDOUS NATIONAL RADIO TIE-UPS!

NATIONAL TIE-UP WITH BOY SCOUTS AND GIRL SCOUTS!

SPECIAL ACTION EXPLOITATION PRESSBOOK LOADED WITH LOCAL TIE-UPS, BALLYHOO!

...and plenty more to come!

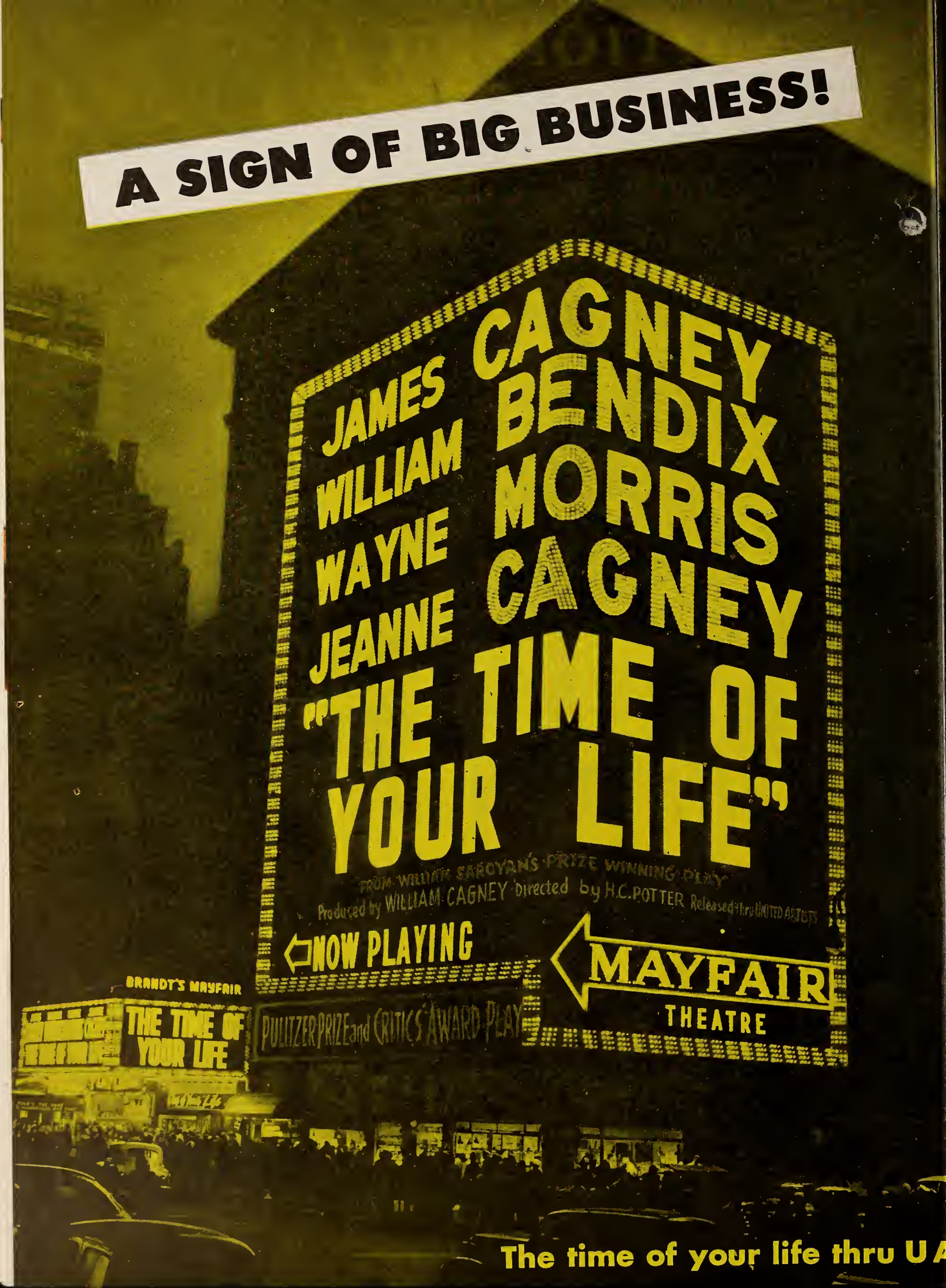
OF KUMAON

Based on the Book "Man-Eaters of Kumaon" by Jim Corbett
Screenplay by Jeanne Bartlett and Lewis Meltzer
Adaptation by Richard G. Hubler and Alden Nash

A UNIVERSAL-INTERNATIONAL RELEASE

IN ASSOCIATION WITH
FRANK P. ROSENBERG

A SIGN OF BIG BUSINESS!



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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 115 NEW YORK, U.S.A., TUESDAY, JUNE 15, 1948 TEN CENTS

MOTION PICTURE AMERICA, INC. 1501 BROADWAY NEW YORK 18

FILE COPY DO NOT REMOVE

Thomas Group Bulwarked in Tilt With '10'

Eisler Appeal Decision Sets Pattern for Fall

WASHINGTON, June 14.—The power of the House Committee on Un-American Activities got strong backing today in two court actions here.

U. S. Court of Appeals upheld the contempt-of-Congress conviction of Gerhart Eisler for refusing to be sworn in or to answer the committee's questions unless he could make a statement first. The case closely approximates that of the 10 Hollywoodites cited for contempt, and may set the pattern for the decision in the appeals of John Howard Lawson and Dalton Trumbo, which will be argued in the same court next fall.

At the same time, the U. S. Supreme Court refused to hear the appeal of Edward Barsky and other officials of the Joint Anti-Fascist Refu-

(*Continued on page 3*)

B'way Yields Fair Grosses

Business is only fair at Broadway first-runs this week. Weekend rains, which signaled financial disaster for concessionaires at beaches and other outdoor places, gave Broadway business a slight boost and did considerably better by neighborhood houses.

Brightest business is still being done at Radio City Music Hall where the fourth and final week of "The Pirate," plus a Leonidoff presentation on stage, is heading for a good $115,000 on the

(*Continued on page 3*)

Senate Backs 1-Year Trade Act Extension

WASHINGTON, June 14.—The Senate today voted a one-year extension of the Reciprocal Trade Agreements Act, with the President required to give Congress his reasons whenever he ignores recommendations of the Tariff Commission on how much he can raise or lower import duties. Provision voted by the House giving Congress power to veto any treaties which include cuts or increases outside the bounds set by the Tariff Commission is omitted in the Senate version. The House is expected to go along with the Senate bill.

Balaban and Zukor Reelection Today

Barney Balaban and Adolph Zukor are listed for reelection as Paramount's president and board chairman, respectively, at the company's annual directors' meeting here this afternoon. Election will follow the annual stockholders meeting.

The only scheduled business to come before stockholders will be the naming of directors, all of whom are nominees for reelection.

Hearing Today on Government Order

The Government's proposed order devised to give effect to the U. S. Supreme Court's opinion in the Paramount anti-trust case is scheduled to come up for hearing in District Court here today before Judges Augustus N. Hand and Henry W. Goddard.

Defense counsel will oppose nearly every phase of the order, especially the Government's demands for statements listing joint theatre ownerships claimed to involve investments by persons not actual or potential theatre operators, and for a temporary injunction against acquiring or selling any theatre interests or alleged discriminatory practices pending the entry of a further order. Defendants will also ask that the order be simplified.

Lesser Deal with Blumenfeld Is Off

SAN FRANCISCO, June 14.—Negotiations for the sale of the Blumenfeld Circuit of 35 theatres in Northern California, have fallen through, according to Joseph Blumenfeld, president.

For the past few weeks Sol Lesser and Sherrill Cohen have been in communication with Blumenfeld for the

(*Continued on page 3*)

Crowe Will Continue As KATO President

LOUISVILLE, June 14.—Guthrie F. Crowe will continue as president of the Kentucky Association of Theatre Owners. A meeting of the KATO board, attended by Crowe and Henry J. Stites, Morris Blacker, Leon Pickle, E. T. Denton, Dennis Long, Johnson Musselman, Roger Daley, W. Freeman Smith, E. L. Ornstein, Andy Anderson, Willard Gabhart, Charles

(*Continued on page 3*)

Rank, Hailing New Quota, Says He Will Help Make It Work

LONDON, June 14.—J. Arthur Rank, jubilant over the new 45 per cent exhibitor quota, told a trade press news conference here today that independent exhibitors, lacking enthusiasm for British pictures and preferring a large number of films from which to choose, will have to have a change of heart.

Rank claimed that it is scandalous that, with a larger number of British pictures available, there still is a larger number of quota defaulters.

"I am going to take my coat off to see that everybody plays his 45 per cent quota," Rank said, adding that he will prepare statistics for the Board of Trade to show that British pictures are available to the defaulters. He said that except for British producers' activities during the past 12 months the exhibitor's position would have been very difficult.

Terming present rental arrange-

(*Continued on page 3*)

CEA Convention in Arms Over UK Quota

DOUGLAS, Isle of Man, June 14.—Exhibitors assembling here for the Cinematograph Exhibitors Association convention were stunned by receipt of news from London of the new quota percentage, claiming, firstly, that the figure is unrealistic and, secondly, that Harold Wilson's order will contribute monopolistic powers to J. Arthur Rank's film empire.

Exhibitor indignation here was marked by wild talk tonight of the promotion of a general theatre strike against playing any British films, thereby compelling Wilson to alter his

(*Continued on page 3*)

Postpone Action on Critical French Tax

Motion Picture Association of America international division manager Gerald M. Mayer, now in Paris, was reported here yesterday to have won from the French Assembly backers of a confiscatory film import footage tax a two-week delay of action on enabling legislation. Reports emanating at the weekend from Washington and Paris had pointed to the likelihood of French Assembly action on the measure this week.

Mayer, who has been conferring in Paris on proposed changes in the Blum-Brynes Accord, was said to have secured the delay of action on the import tax pending top-level discussion.

UK Exhibitors' Quota Set at 45 Per Cent

Effective for Year; 25% Is Supporting Fare Quota

LONDON, June 14.—The new British exhibitors' quota is 45 per cent for first features and 25 per cent for short subjects and supporting program pictures, Harold Wilson, president of the Board of Trade, told the House of Commons today.

Wilson said his order establishing the new quota will be operative for 12 months, starting next Oct. 1.

The Cinematograph Exhibitors Association had recommended a feature quota of 20 per cent to the Films Council last week, and the British Film Producers Association, headed by J. Arthur Rank, recommended a 50 per cent quota. The present quota is 17½ per cent and many British exhibitors defaulted on that despite the several months' embargo on shipment of Hollywood films in protest against the *ad valorem* film tax.

Columbia Net Is $855,000

Estimated net earnings of $855,000 after Federal taxes of $570,000, were reported here yesterday by Columbia for the 39 weeks ended March 27. This was equivalent to 98 cents per common share after preferred stock dividends. Net profits for the 39 weeks ended March 29, 1947, amounted to $2,935,000, or $4.23 per share, after taxes of $1,705,000.

Convertibility Fund Voted by Senate Unit

WASHINGTON, June 14.—Senate Appropriations Committee today recommended that $10,000,000—$5,000,000 less than originally fixed in Marshall Plan legislation—be appropriated to guarantee convertibility of costs of producers and publishings in distributing films and books in Marshall Plan nations, but said that this should be used within a year rather than stretched for 15 months as required by the House. Senate approval is expected later this week, after which the measure will go to conference with the House.

The committee also earmarked $125,000,000—$25,000,000 less than the

(*Continued on page 3*)

Personal Mention

WILLIAM F. RODGERS, M-G-M distribution vice-president, will return to New York tomorrow from Chicago.

•

C. Y. TOM, president of Chinamerica Film Exchange, will leave here today for Hong Kong. He will stop off at Washington and Hollywood en route.

•

JULES WEILL, Masterpiece Productions president, will tour the company's branches from Hollywood before returning to New York.

•

DR. EVERETT CLINCHY, president of the National Conference of Christians and Jews, left here yesterday for Europe on the *SS Mauretania*.

•

F. J. A. MCCARTHY, Universal-International Southern and Canadian sales manager, left New York yesterday for Canada.

•

ALFRED H. TAMARIN, United Artists home office publicity director, and LUCILLE LORTEL, will co-present "Red Roses for Me" on Broadway this fall.

•

MAURICE SILVERSTEIN, Loew's International regional director of Latin America, will leave here today for Brazil on a tour of his territory.

•

GEORGE R. GINOUX, field representative for Technicolor, Hollywood, is in Boston and will visit Montreal before returning to the Coast.

•

N. PETER RATHVON, RKO president, left over the weekend for Hollywood.

•

J. J. UNGER, United Artists sales manager, will leave here today for Philadelphia.

•

ARTHUR JEFFREY, Eagle-Lion exploitation manager, left here yesterday for Chicago.

•

CAROL BRANDT, M-G-M Eastern story head, will return here from the Coast on July 3.

•

WALTER L. TITUS, Republic division manager, is in Dallas from New York.

Memphis Variety Installs

MEMPHIS, June 14.—Ed Williamson, Warner manager here, was installed today as chief barker of the local Variety Club at a luncheon at which Harry Martin, president of the American Newspaper Guild, spoke of his experiences as a U. S. delegate to the United Nations conference on freedom of information at Geneva. Williamson announced a projected intensification of the club's charitable enterprises. The club's annual picnic will be held July 24.

Sullivan Luncheon Today

Gael Sullivan, new executive director of Theatre Owners of America, will be formally introduced to the trade press today at a TOA-sponsored luncheon at the Hotel Astor here.

Philadelphia Meet On Rogers Memorial

Andy W. Smith, Jr., general sales manager of 20th Century-Fox; Robert Mochrie, distribution vice-president, RKO Radio; and Joseph J. Unger, general sales manager, United Artists, will hold a meeting today at the Broadmoor Hotel in Philadelphia, with local distribution representatives, companies, exhibitor organizations, and the trade press to organize a local campaign for the Will Rogers Memorial Sanatorium at Saranac. Also in attendance from New York will be Nat Levy, Eastern division manager of RKO, and Sam Shain, director of public relations for 20th Century-Fox.

UA Chiefs Get SPG Bid Backing SOPEG

United Artists president Gradwell L. Sears, vice-president Harry D. Buckley, and advertising-publicity director Paul Lazarus, Jr., were urged yesterday in letters sent by UA unit members of the Screen Publicists Guild to reconsider action regarding Screen Office and Professional Employes Guild. The company has asserted it will not negotiate with SOPEG because that CIO union has failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law. SPG and SOPEG are sister unions.

Artists Managers, SAG Extend Pact

HOLLYWOOD, June 14. — In an arrangement believed to be unique in contract negotiation procedure, Screen Actors Guild and Artists Managers Guild have announced agreement to extend to Jan. 1, 1949 their present 10-year-old contract which expires Sept. 18. The agreement stipulates that they will open negotiations if, and when, SAG is successful in drawing up a new pact with producers.

The extension frees SAG to negotiate for a new contract with the producers to replace the one which expires at the end of July.

Malco Acquires Four Arkansas Theatres

MEMPHIS, June 14. — Malco Theatres has leased four Fayetteville, Ark., theatres from W. F. Sonneman.

Malco will take over July 3. Extensive remodeling of the four theatres is scheduled. M. A. Lightman is president of Malco.

Aid TOA Drive: Walsh

Richard F. Walsh, IATSE president, has asked 'IA' members to volunteer their services at special screenings of "Report for Action," sponsored by Theatre Owners of America as part of its program to combat juvenile delinquency. The film is available to special groups during non-operating hours of theatres.

Schenck Buys Racetrack

LOS ANGELES, June 14. — Joseph Schenck, 20th Century-Fox production executive, has purchased a controlling interest in Del Mar racetrack. He declined to disclose the price, but it is reported to have been $2,000,000.

Video Nets' Pool to Cover Conventions

Coverage of the Republic and Democratic national Presidential conventions in Philadelphia by telecasters along the Eastern Seaboard will be on a pooled basis. Eighteen television stations — largest hook-up ever — will transmit the two events. Major television networks are pooling both manpower and facilities. In addition to the day-long telecasts directly from the scenes of both conventions, telecasters will film the proceedings and fly them to television stations in the Midwest and West where no cable or microwave relay facilities are available for direct transmissions.

Four television cameras, each fitted with a turret of four lenses—permitting 16 different angles of coverage—are to be installed in Convention Hall in Philadelphia.

The television pool will share with radio broadcasters the sound pickups of convention activities. Forty-eight microphones have been installed on the convention floor for use by delegates from each of the states, and microphones on the speakers' rostrum will pick up the voices of party leaders as they address the assemblage.

Video Station Costs Estimated by Para.

WASHINGTON, June 14.—Paramount today estimated that it will cost $600,000 to operate its San Francisco television station during the first year—if the Federal Communications Commission lets it have the station at all. The company filed with the FCC today preparatory to final hearings here on Monday.

Paramount estimated it would spend $493,150 to get the station built and equipped—the $600,000 would be on top of this.

U-I Assigns Two And Promotes Three

Maurice (Bucky) Harris, veteran exploiteer, and Matt Cantillon, formerly a member of the Warner publicity department, have joined Universal-International's Eastern exploitation staff. Harris will specialize in new openings. Cantillon will help develop theatre promotion material.

Alfred N. Mendelsohn has been promoted to radio promotion, Jerome M. Evans has been assigned to national advertising tie-ups, and Herman Kass will be liaison between circuit advertising and exploitation departments.

Lightstone to Preside At Paramount Meet

TORONTO, June 14.—Annual sales convention of Canadian Paramount will open here tomorrow at the King Edward Hotel, under the direction of Gordon Lightstone, Canadian general manager, with branch managers and staff representatives from the six key centers of the Dominion attending.

The meeting will be attended by Oscar Morgan, sales manager of the short subjects and newsreel departments in New York.

Latta Leaves Albany W. B. Theatre Post

ALBANY, June 14.—The dinner given by the local Variety Club to C. J. Latta at the Ten Eyck Hotel here Friday turned out to be a farewell party with the disclosure that Latta is retiring as Upstate zone manager of Warner Theatres to take a new post to be announced by Harry Warner. Latta reported to the Warner home office today after seven years in his post here.

Warner home office spokesmen said Latta's new assignment has not been officially made yet, nor his successor at Albany named.

Defer Schine Order Hearing for Week

BUFFALO, June 14.—Hearing on the proposed Government order in accordance with the U. S. Supreme Court's mandate in the Schine anti-trust suit, scheduled for today in District Court here, has been postponed until next Monday. The Government is asking for a 45-day deadline for the filing by the defendant of an accounting of all company theatre interests.

W.B. Boatride Today

Warner home office employes, members of the Warner Club, will embark on their annual boat ride up the Hudson to Bear Mountain today.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
Judy GARLAND • Gene KELLY
in "THE PIRATE"
Songs by COLE PORTER
Color by TECHNICOLOR
A Metro-Goldwyn-Mayer Picture
SPECTACULAR STAGE PRESENTATION

Paramount presents
BETTY HUTTON · MACDONALD CAREY
in "Dream Girl"
A MITCHELL LEISEN PRODUCTION
in Person
"HOUR OF CHARM" ALL-GIRL ORCHESTRA
Under the Direction of PHIL SPITALNY
presenting EVELYN and Her Magic Violin
plus SIBYL BOWAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Walt Disney's
greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR
B'WAY & 45th ST.

RKO presents
"DESIGN for DEATH"
ACADEMY AWARD WINNER
Best documentary feature of 1947!
Air-Conditioned
VICTORIA B'WAY AT 46th ST.
Doors Open 9:45 A.M. • Late Show Nitely

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DominionBankHead Hails US Projects

International cooperation is more effective than legal restriction in the case of Canada and the American film industry, Donald Gordon, deputy governor of the Bank of Canada, told executives of the Motion Picture Association of America at a luncheon given in his honor yesterday at the Yard Club here.

At the luncheon, which was presided over by Francis S. Harmon, MPAA vice-president, Taylor Mills of the MPAA staff, who is serving as New York coordinator of the Canadian Cooperation Project, reported that American newsreels have included 64 subjects on Canada in their releases this year. Producers of features as well as short subjects are presenting ample proof of their cooperation, Mills said.

Next week FitzPatrick Travel-Talks will start making photographic studies of Quebec and Ontario, and Monogram this summer will make the first of 10 features in Canada, all of which are scheduled for completion within the next two years, he added.

Convertibility Fund

(*Continued from page* 1)

sum sought by the Administration—for a Far Eastern recovery program in Japan, Korea and the Ryukyus. It is not known how much of the $125,000,000 would be used for guaranteeing convertibility for information media.

CEA Convention

(*Continued from page* 1)

stand. However, calmer counsels are expected to prevail at tomorrow's C.E.A. executive meeting which may take the form of a decision to promote a Parliamentary campaign to secure an amendment before the new quota becomes operative.

General attitude of exhibitors here is that the new quota is so impracticable and uneconomic that it will result in an epidemic of defaults which may make the statute a dead letter before the end of its first year.

Convention delegates also expressed anger over the timing of Rank's announcement of his new booking terms, which they take to indicate he will insist upon despite any C.E.A. views. This is also expected to promote angry debate here tomorrow.

Exhibitors also are surprised that the Motion Picture Association of America, so far as is known, has not made appropriate representations concerning what is regarded as the new quota's grave threat to American interests.

Thomas Group

(*Continued from page* 1)

gee committee from a contempt-of-Congress conviction for refusal to produce records for the House group. Counsel for the "unfriendly 10" had filed an *amicus curiae* brief asking the court to hear the case.

Justices Bennett Clark and James Proctor, the majority in the Circuit Court decision, said that Eisler was summoned by lawful authority and was bound to conform to the procedure of the committee.

Rank Hails Quota

(*Continued from page* 1)

ments with the Cinematograph Exhibitors Association as unsatisfactory, Rank said: "I am going to substitute for this system one that other people and I think fair." Exhibitors desiring my pictures will have to abide by the system, he added.

Rank observed that the American industry may be found taking off its coat to sell British pictures there in the next few months, as it is in their interest to do so. He said he wishes he had a few theatres in America, claiming that with them he could show two British pictures a month and make more money with them than with American films. He said that in Canada British pictures make more money than American pictures.

Confirming completion of his pooling of the Gaumont-British and Odeon circuits, Rank disclosed that the move would result in a single management with 300 or 400 personnel leaving the organization. The new company, known as Circuit Management Association, Ltd., has the full approval of the Board of Trade, Rank said. The two circuits will continue to book separately but substantial savings in operations are expected. He reiterated that he expects 60 per cent of his theatres' programs to be British this year.

It was revealed that current grosses are below the 1944-'46 period.

Crowe Will Continue

(*Continued from page* 1)

R. Mitchell, Adolph Baker, Louis Wiethe, Rex Carr and Joe Isaacs, gave Crowe authority to employ such person or personnel as is necessary to continue organization work during his activities organizing the new state police force of which he was recently appointed commissioner by Gov. Earle Clements.

The directors went on record opposing a 16mm. situation appearing in Cloverport. Also discussed was the release of stories for radio dramatization coincident with the release of films, on which opinions were divided. A committee was appointed to nominate directors; appointed were Fred Dolle, E. L. Ornstein, W. Freeman Smith and Cliff Buechel, with Crowe.

B'way Grosses

(*Continued from page* 1)

basis of $73,000 grossed Thursday through Sunday. At the Criterion, "The Lady from Shanghai" got off to a good start, with $35,000 seen for the first week.

New pictures bowing in this week include "The Emperor Waltz," Music Hall; "Dream Girl," Paramount; "Lulu Belle," Rivoli; "The End of the River," Park Avenue.

Other first-week pictures are registering as follows: "Summer Holiday," Loew's State, $28,000 (above average); "Green Grass of Wyoming," plus Harry Richman on stage, Roxy, $60,000 (unimpressive start); "Wallflower," with Ed Gardner and Jane Russell on stage, Strand, $56,000 (good); "Design for Death," Victoria, $12,000 (modest); "Bad Sister," Winter Garden, $12,000 (very moderate).

Second-week pictures are doing moderately well, as follows: "The Bride Goes Wild," with Woody Herman's band on stage, Capitol, $55,000; "Hazard," with a stage bill headed by the King Cole Trio, Paramount, $60,000; "Challenge of the Mysterious Matterhorn," Park Avenue, $4,800.

Pictures in third weeks are doing about as follows: "Melody Time," Astor, $30,200 (fair); "Time of Your Life," Mayfair, $29,000 (fairly strong); "Citizen Saint," Bijou, $4,500 (so-so).

"Another Part of the Forest" at the Rivoli is due for a modest $13,000 in its fourth week, and will run three days of a fifth. At the Rialto, "Will It Happen Again" looks like $6,000 in a fifth and final week. "The Brothers" finished its sixth and final week yesterday with a mild $3,500. A fair $15,000 is due for "Arch of Triumph" in its eighth week at the Globe.

Lesser Deal Off

(*Continued from page* 1)

purpose of acquiring the circuit. However, Lesser now says that although he had raised $3,000,000 toward the purchase price, he and Blumenfeld could come to no agreement and negotiations were called off. Lesser and Cohen recently purchased Blumenfeld's San Francisco United Artists Theatre, but turned the house back after three weeks.

Ascap Board Reelected

Annual election of the board of appeals of the American Society of Composers, Authors and Publishers, has returned to office all six members. Zez Confrey is chairman. Reelected are Peter de Rose, Abel Baer and Douglas Moore, writer members, and Max Mayer, John Sengstack and Sam Stept, publishers.

You Have A Date for Thursday June 17th!

it's

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MAX E. YOUNGSTEIN

New AMPA president will outline his plans for the new administration.

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with GEORGE MACREADY · SALLY EILERS · EDGAR BUCHANAN

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Para. Capital Status Keyed To Divestiture

Balaban Sees Reduction In Theatre Interests

Any reduction of Paramount theatre holdings made necessary by court-imposed divestiture will be compensated for by a corresponding reduction of the company's capital structure, Barney Balaban, Paramount president, told company stockholders at their annual meeting at the home office here yesterday.

Barney Balaban

"I do not know what the outcome will be," Balaban said in referring to the recent U. S. Supreme Court decisions in the industry cases, "but I believe that our theatre interests will be reduced with a corresponding reduction of our ultimate earning power.

"If the assets and earning power

(*Continued on page 6*)

Paramount Officers, Directors Reelected

Barney Balaban and Adolph Zukor, Paramount president and board chairman, respectively, were reelected here yesterday, with all other company officers, at the annual directors' meeting. At the stockholders meeting earlier in the day, all 16 directors were reelected.

Other officers reelected include: vice-presidents: Y. Frank Freeman, Austin C. Keough, Charles M. Rea-

(*Continued on page 6*)

Delft Organizing a Second Film Combine

MINNEAPOLIS, June 15.—Delft Theatres, operating more than a dozen theatres in Northern Michigan and Northeastern Wisconsin, is forming a new buying-and-booking combine, to service accounts from Milwaukee.

John B. Schuyler, general manager of Delft, will head the new combine, with Fonlas Georgeaddis, former Fox circuit booker, assuming a similar post with Delft.

British Are Not Acting in Good Faith, Balaban Says

Expressing dissatisfaction over the new British exhibitors' 45 per cent quota, Barney Balaban, Paramount president, told the company's annual stockholders' meeting here yesterday that he does not think the British "are acting in good faith." He asserted that Paramount will make representations to the British to change the quota.

Balaban also voiced displeasure with the permissive provisions of the British tax agreement, saying that the "uses are so hedged and restricted, and the attitude so far indicated by the English governmental authorities is so narrow, that we are not presently justified in counting upon them as a means of bolstering our dollar resources."

"Accordingly," he declared, "we can, at best, use blocked funds in the production of only a limited number of pictures, if at all, in England." Discussing some of the troublesome aspects of even limited production, he

(*Continued on page 6*)

Sir Alexander King Calls Quota a 'Farce'

LONDON, June 15.—Terming the new 45 per cent British exhibitors' quota a "farce," Sir Alexander King, Britain's leading exhibitor and vice-president of the Cinematograph Exhibitors Association, predicted today that as a result of it twice as many theatres will be in default of their quota committment in 1950 as were last year, when 1,300 theatres could not meet the quota calling for 17½ per cent playing time for British films. Sir Alexander's comment was typical of the mood with which other British exhibitors greeted the new quota.

Producers here were enthusiastic

(*Continued on page 3*)

Name Board for New Rank Pooling Group

LONDON, June 15.—Directors of Circuit Management Association, which evolved from a pooling of J. Arthur Rank's Gaumont-British and Odeon circuits, were announced here today as follows: Rank, chairman; John Davis, managing director; and J. A. Callum, L. W. Farrow, Lawrence Kent and Mark Ostrer.

Some 564 theatres and 20 companies in the Odeon—G-B groups will be affected for a period of five years by

(*Continued on page 3*)

British Exhibitors Set to Defy Quota, Rank's Rental Terms

By PETER BURNUP

DOUGLAS, Isle of Man, June 15.—In an atmosphere of intense indignation, the Cinematograph Exhibitors Association convention here prepared today to do battle over both the new 45 per cent exhibitors' quota and J. Arthur Rank's new rental terms.

The CEA executive committee at its meeting today recommended to the general council, which meets tomorrow, that all independent exhibitors be advised to refuse to book Rank's films on his proposed terms and, instead, invoke the relief clauses of the Quota Act whereby exhibitors are enabled to default when unable to fulfill

(*Continued on page 3*)

Reciprocal Trade Pact to President

WASHINGTON, June 15.—The House today sent to the White House a bill extending the Reciprocal Trade Agreement Act for one year, with the President required to give Congress his reasons anytime he ignores recommendations made by the Tariff Commission on new treaties.

There is some speculation that President Truman may veto the bill. The Administration has been pushing for a three-year extension without any curbs on the President.

Sullivan Calls for Industry Harmony

Deploring the "minus signs" which have come between producers, distributors and exhibitors, Gael Sullivan, Theatre Owners of America's new executive director, yesterday called for "plus signs" instead, and pledged himself to assist in the movement for greater harmony in the industry's operations.

The occasion of Sullivan's remarks was a luncheon sponsored by TOA for the purpose of introducing the former executive director of the National Democratic Committee to trade press editors and distribution and exhibition executives here. He was in-

(*Continued on page 3*)

Para. Case to Get New Start Here Oct. 13

Court Declines to Act Until Third Judge Named

A further protracted battle in the Paramount anti-trust case was indicated yesterday when the Government's proposed order designed to to give force to the U. S. Supreme Court's opinion in the suit came up for hearing before Judges Augustus N. Hand and Henry W. Goddard in District Court here and was postponed to Oct. 13.

Denying the Government's application for an order on the Supreme Court's mandate with injunctive proceedings, the court postponed a further hearing on the ground it had no jurisdiction in judicial matters pending the appointment of a third judge to sit on the case. Because it considered the question of jurisdiction "too doubtful," the tribunal declined to make any findings at yesterday's hearing and proposed to confine itself meanwhile merely to entering an order conforming with suggestions advanced by the court. Such an order was prepared later in the day and will be served on the defendants to-

(*Continued on page 6*)

MacMillen Named E-L Vice-president

William C. MacMillen, Jr. has been appointed vice-president in charge of operations of Eagle-Lion, it was announced here yesterday by Arthur B. Krim, president. MacMillen's responsibilities will be in administration, personnel and finance and will in no way affect the position of William J. Heineman as distribution vice-president. Eagle-Lion is a subsidiary of Pathe Industries, of which MacMillen has been an officer since 1946. He has also been president of the Federation for Railway Progress and assistant to Robert R. Young, principal Pathe stockholder. MacMillen, 35 years old, will make his headquarters here.

Corcoran to Manage Western Pa. Allied

PITTSBURGH, June 15.—George Corcoran has been named general manager of Allied Motion Picture Theatre Owners of Western Pennsylvania, succeeding James Alexander, resigned.

Personal Mention

SAMUEL SCHNEIDER, Warner vice-president, and his wife will sail for London today on the *SS Queen Elizabeth*.

•

ERIC JOHNSTON, Motion Picture Association of America president, has returned to Washington from Northampton, Mass., where he attended the graduation of his daughter from Smith College.

•

HERBERT S. NUSBAUM, Hollywood attorney, has arrived here from the Coast for his wedding on Sunday to BARBARA AARON, daughter of M-G-M assistant sales manager EDWIN W. AARON.

•

MRS. BEN GOETZ, wife of M-G-M's head of British production, and MRS. HOWARD STRICKLING, wife of the studio's publicity chief, will sail for Europe tomorrow on the *SS Queen Elizabeth*.

•

MARY PICKFORD and her husband, BUDDY ROGERS, who will leave for Europe aboard the *SS America* on June 23, arrived here yesterday from the Coast.

•

MRS. C. J. LATTA, whose husband retired as Warner zone manager in upstate New York, was honor guest at a farewell dinner given by the Albany Ladies' Theatrical Club.

•

EDWARD A. GOLDEN, head of Golden Productions, is in Texas from Hollywood, while his son, ROBERT S. GOLDEN, producer, is in New York from the Coast.

•

ADELE HARRIS, daughter of TED HARRIS, managing director of the State Theatre, Hartford, will be married there Sunday to S. VICTOR FEINGOLD.

•

RENE SCHINE, daughter of J. MYER SCHINE and MRS. SCHINE, will sail on a conducted tour of Europe on Saturday. She is a Syracuse University student.

•

HERBERT J. YATES, Republic president, and JAMES R. GRAINGER, distribution vice-president, flew to Boston yesterday from New York.

•

RUTGERS NEILSON, RKO Radio publicity manager, has been reelected to the board of governors of the Circus Saints and Sinners here.

•

A. J. O'KEEFE, Universal-International assistant general sales manager, returned to New York last night from Los Angeles.

•

I. E. LOPERT, Lopert Films president, will return here today from France and Italy on the *SS America*.

•

WALTER BIBO, Excelsior Pictures president, left here yesterday by plane for Europe.

•

SAM MARX, M-G-M producer, is in town from Hollywood.

Tradewise . . .

By SHERWIN KANE

THERE is a good deal of top-level talk these days of the advisability of creating an industry council composed of experienced executives who would give continuous attention to some of the weightier industry problems now unresolved and to new ones as they may arise in the future.

The idea is not new. It appears to be a corollary of difficult times.

During a comparable period, 10 years ago, the organized industry delegated similar responsibilities to what was termed the Committee of Six. The group consisted of three top-flight industry attorneys in New York and three in Hollywood.

•

The record of the accomplishments of the Committee of Six was recorded only superficially in industry annals of the period. That was due less to the recorders' lack of interest in the Committee's activities than it was to the traditional shyness of attorneys where the public prints are concerned.

In any event it is difficult to appraise the contributions of the Committee now but it is, perhaps, significant that the need for reestablishment of a similar group is being argued in influential sectors.

•

In the 1937-'39 period during which the Committee of Six functioned, the trials that beset the industry were not greatly different from those which plague it today. A decade ago, as now, there were problems which derived from financial difficulties, at the box office and in Hollywood, from Governmental and legal attentions and from relations (adverse, that is) with the public, which is synonymous with the ticket buyer.

Because of the obscure record, it is not clear whether the Committee of Six resolved most of the problems of that day and went out of business quietly, or whether the resurgence of good pictures at reasonable costs, simultaneously with a rapidly bettering economic condition throughout the country, dissolved the problems and ended the need for the committee.

However that may be, the return to healthy profits and the inactivation of the committee were fairly well synchronized.

Once again now the cycle appears to have been completed.

If an industry council can contribute anything either to the solution of the urgent and all too numerous problems which confront the industry today, or to the speeding of the industry's economic recovery, then such a council certainly should be appointed.

• •

Production costs continue to be a major concern of most companies.

Significant economies have been made, appreciable waste eliminated. But there are many cost fundamentals, major ones, on which no impression has yet been made.

One seeming effect of high negative costs is the understandable tendency of some distribution companies to withhold their better releases from the market while awaiting a box-office upturn.

•

Some responsible industry diagnosticians condemn that policy in strong terms. They argue that it not only permits the market to continue its decline but actually contributes to that result. Their conviction is that no appreciable box-office upturn is possible without the release of the very strongest product in quantity sufficient to initiate and sustain the recovery.

These analysts contend further that the job is too big to be performed by one-quarter or one-half of the industry. They suggest that every producing-distributing company line up four or five of its outstanding attractions and schedule them for release beginning, say, July 1.

It is their contention that such a program would give impetus to the market which would condition it to provide the best returns for top product and which would also find it ready to absorb the weaker product when released at reasonable intervals during the anticipated upturn.

• •

Just incidentally, a producer lately arrived from Hollywood was discussing the recent flow of high cost, medium quality pictures, souvenirs of the recent era of plenty. His capsule explanation:

"Hollywood has too much of everything except taste and judgment."

We just can't wait to see *his* next picture.

Newsreel Parade

PRESIDENT TRUMAN on tour, Jerusalem battle scenes and King Michael's wedding to Princess Anne are current newsreel highlights. Sports and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 48—President Truman sees flood areas in Oregon. President blasts Russia. Arab occupation of old city of Jerusalem. Ex-King M[illegible] weds Princess Anne. Tricky chimpa[illegible] put on show at St. Louis zoo. Silver anniversary of Yankee Stadium. Golf: Ben Hogan. Citation wins Belmont stakes.

NEWS OF THE DAY, No. 282—Greater New York's Golden Jubilee. Jerusalem battle films. President Truman says Soviet blocks road to peace. King Michael weds Anne. Citation wins triple crown. Chimps put on a show.

PARAMOUNT NEWS, No. 85—Freedom Train. Zoo circus. New Look gets into the swim. Presidential fireworks. Babe Ruth hailed at Yankee Stadium.

UNIVERSAL NEWSREEL, No. 152—Rocket plane flies faster than sound. Northwest greets President Truman. Wedding of King Michael in Athens. New flood perils British Columbia. Zoo chimp thrills kids. Fans honor Babe Ruth. Citation wins triple crown.

WARNER PATHE NEWS, No. 87—Plane flies faster than sound. Behind Arab lines. Michael and Anne are wed. Republican candidates' wives. President Truman on tour. Yankee Stadium anniversary. Belmont stakes.

Fifteen Inducted in AMPA Tomorrow

Fifteen will be inducted in the Associated Motion Picture Advertisers tomorrow at a meeting in the Hotel Astor, including Marmi Gedge, Jeanette Sawyer, Milt Silver, Steven Straussberg, Dennis Carlin, Sidney Schaefer, Al Rylander, Leo Brody, Jack C. Alicoate, Larry Graburn, Ephrain Epstein, Leonard G. Goldman, Albert Floersheimer, Bill Bentley and Edward De Angelis.

Judge Edward C. Maguire, coordinator of Mayor O'Dwyer's New York City film committee, will be guest speaker. Max Youngstein, AMPA president, will preside.

Jack Goldstein to Join Hal Horne

The Hal Horne Organization here has appointed Jack Goldstein general manager of its motion picture division. Simultaneously, Goldstein was elected vice-president of Sing-A-Tina Studios, a Horne affiliate.

Goldstein, who has disposed of his Hollywood agency interests, was formerly studio representative for RKO Radio, Eastern advertising-publicity director of David O. Selznick, and Eastern publicity director of 20th Century-Fox.

Baker Is Columbia's Des Moines Manager

CHICAGO, June 15.—Clark Baker, city salesman in Columbia's Detroit branch and a Columbia employee for 10 years, has been named manager of the company's Des Moines exchange, replacing Mel Evidon, who has resigned.

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

Production Drops To 32, from 37

HOLLYWOOD, June 15.—The production tally dipped to 32 from last week's 37. Shooting began on six new films, while 11 were sent to cutting rooms.

Shooting started on "The Bribe," M-G-M; "Letter to Three Wives," 20th Century-Fox; "Mexican Hayride," Universal-International; "Grand Canyon Trail" and "Son of God's Country," Republic; "Quick on the Trigger," Columbia. Shooting finished on "Photo Finish," Columbia; "The Million Dollar Weekend" (Masque), Eagle-Lion; "The Unbelievable" (Albert J. Cohen), Film Classics; "Three Godfathers" (Argosy), M-G-M; "Sorrowful Jones," Paramount; "Desperadoes of Dodge City," Republic; "Outlaw Valley" and "Weep No More," RKO Radio; "Jungle Goddess" (Robert L. Lippert), Screen Guild; "Burlesque," 20th Century-Fox, and "My Dear Secretary" (Cardinal), United Artists.

Four New Theatres In Charlotte Area

CHARLOTTE, June 15.—Two theatres are going up in the little town of Stanley, N. C. One, due to open late in June, will be the Stanley, to be operated by Lewis Ballard and C. M. Lowe and will be included in the Exhibitors' Service circuit. The other has been announced by A. E. Miller, who operates theatres in Lincolnton.

The Whitaker Hall Theatre in McColl, S. C., operated by a group of businessmen, opened there recently. The Hollywood Theatre in Winston Salem, which was damaged by a fire in January, will be razed and a new building will be erected by the Blumenthal circuit.

Action Deferred on NYC Censorship Bill

New York Councilman Edward Cunningham yesterday asked the City Council to withhold action on his censorship bill. Overwhelming opposition to the measure has emanated from theatre interests here.

Although Cunningham sought postponement until next Tuesday, spokesmen in the forefront of the fight against the bill expressed the belief that the bill's sponsor will refrain from calling for a vote. He said he asked for the postponement because of "confusion" revolving around the measure.

Covington Adopts Film Censorship

COVINGTON, Tenn., June 15.—This town has become the first in the Mid-South to follow Memphis and adopt film censorship.

Mayor Clyde Walker said one Covington theatre, the Gem, has been showing pictures censored in Memphis. Covington officials have taken the stand that any film banned in Memphis automatically will be banned in Covington.

20th-Fox Boatride Today

More than 900 members of the 20th Century-Fox Family Club and their guests will embark today on the club's annual boatride to Bear Mountain, aboard the *S.S. Robert Fulton.*

Defy Quota, Rank

(*Continued from page* 1)

the quota on reasonable economic terms.

This constitutes an unprecedented step, the CEA heretofore having invariably taken the stand that quota defaults are a matter between the Board of Trade and individual exhibitors only.

Envisaging wholesale quota defaults, the CEA is enthusiastically accepting Rank's challenge and virtually is counseling all independents to wilfully default.

Term Rank Films 'Poison'

Today's CEA executive meeting roundly alleged that a high proportion of Rank's recent film output is "plain box-office poison ivy."

The executive meeting also stated officially that the proposed quota is completely unworkable, owing to an insufficient supply of suitable films. If Harold Wilson, Board of Trade president, persists, it was stated, his Quota Act immediately becomes a dead letter for the majority of independent exhibitors.

Discussing the new booking terms which Rank would impose on the whole industry, the executive meeting recommends that the CEA general council refuse to consider terms exceeding 50 per cent, adding significantly that a considerable proportion of Rank's recent output doesn't justify even 35 per cent.

Expect Debate in Commons

Wilson's order fixing the new quota percentage requires an affirmative resolution by both Houses of Parliament which, it is anticipated, will provoke debate in Commons. The CEA does not place undue reliance on anything vital resulting from that but it is determined to pursue tactics which will render Wilson's quota inoperative. The CEA anticipates that the Board of Trade dare not risk wholesale legal prosecutions for defaults.

The view was expressed that Wilson's impossible percentage is a subtle political move throwing the ball to Rank, who now must justify his claims that his films are good enough to satisfy the customers. In any event, the CEA is ready to do battle with Rank, whether or not the government aids.

Calls Quota 'Farce'

(*Continued from page* 1)

over the new law, however. They claimed they will certainly be able to provide the films demanded for meeting the quota. Said Sir Henry French, director general of the British Film Producers Association: "It is great encouragement and incentive for a future satisfactory conclusion of the producers' campaign." Sir Alexander Korda considers the 45 per cent figure "realistic."

Loop House Reverts To 2nd - Run Policy

CHICAGO, June 15.—Shortage of first-run product is causing the Monroe Theatre in the Loop to revert on Friday to a second-run policy at reduced admissions. Owned by James Jovan, the Monroe adopted a first-run policy several months ago principally because the house is not affected by the Jackson Park decree and is therefore able to play films beyond the two-week limit. Jovan intends to go back to first-run at the Monroe when product becomes available.

Allied's Ascap Bill Dies in Committee

Washington, June 15.—The Allied States-sponsored Lewis Bill, to force film producers to acquire public performing rights to Ascap music, finally dropped completely out of the picture of the 80th Congress today when the House Judiciary Committee finished its last meeting of the session without taking action on the bill.

Allied has indicated it will press the bill again in the next session.

Gael Sullivan

(*Continued from page* 1)

troduced to the gathering of about 40 by S. H. Fabian, head of Fabian Theatres, who warned that the relationship between exhibitor and distributor "is now at the lowest ebb," that the industry has never had such a low status with the public as it has at present, and that manifestations of "jealousy and envy" must end between exhibitor and distributor.

Retiring TOA executive director Robert W. Coyne reviewed for Sullivan and the gathering the challenges which the industry faces in taxes, television, high costs and "shrinking foreign markets." Fabian joined with Coyne in expressing confidence that Sullivan is equipped by experience and background to help guide the destiny of TOA. "Politics is played for keeps in this industry," Fabian admonished, and drew a burst of laughter from the audience when he turned to Sullivan and added jovially: "I'm looking forward to your first encounter with Mr. Abram Myers." Myers is National Allied's general counsel.

Rank Pooling Group

(*Continued from page* 1)

the pooling, which requires ratification by the individual companies.

The J. Arthur Rank Organization yesterday released in London a lengthy statement outlining in detail the *modus operandi* to be pursued by Circuit Management. The Rank Organization here released the statement in turn. It contained substantially the same outline of operating methods previously reported by MOTION PICTURE DAILY, and added: "Experience has shown that, to be most successful, a theatre should show a balanced program of British and American pictures; but the success of a theatre today depends to a very large extent on the number and quality of brother films it can obtain for exhibition."

Explorers See 'Kumaon'

Members of the Explorers' Club, the Adventurers' Club, executives of the Museum of Natural History, the Indian League and the Consul General of India, were guests at a screening of the Monty Shaff-Frank P. Rosenberg Universal-International production "Man-Eater of Kumaon," at the Park Avenue Theatre in New York last night.

New GWTW Run Here

"Gone with the Wind" will open at the Elysee Theatre here on June 19 for an indefinite run, in its fourth release throughout the country.

New Film Video Unit To Hold Elections

Election of officers of the new National Television Film Council will take place at a dinner-meeting at the Williams Club here tomorrow night. The unit was formed to set up a code of ethics for the film television industry and to reconcile other problems.

Guest speakers will include Norman Blackburn, NBC's director of television programming; Ed Evans, CBS's director of films; Kendall Foster, television director of William Esty Co.; and Gene Martel, president of the Screen Director's Guild.

State Hearing Today On RKO Union Tilt

New York State Labor Relations Board hearing on the contract dispute between Motion Picture Theatre Operating Managers and Assistant Managers Guild and RKO Service Corp., originally scheduled for yesterday, was postponed until today.

Guild charges that the company refuses to bargain collectively will be heard by hearing officer Ben Wolfe.

SRO Distribution Set in Two Areas

PHILADELPHIA, June 15.—National Film Service representatives, Oklahoma City Shipping and Inspection Bureau, Oklahoma City, and Film Inspection Service, New Orleans, will handle physical distribution for Selznick Releasing Organization. This includes film inspection, shipping, mounting, storage, etc.

Mangham, White and Houck to Produce

ATLANTA, June 15.—John W. Mangham, J. Francis White and Joy B. Houck have formed Western Adventure Productions to make eight Westerns annually in Hollywood at the Ingram Ranch—to star Peggy Stewart and Lash (Al) Rue.

New DuMont Video Link

NEW HAVEN, June 15.—WNHC-TV, affiliate of DuMont, is now on the air with test patterns and is expected to begin telecasts of network programs this week. Lawrence Phillips, director of the DuMont net, pointed out that the station will be the first affiliate of any television network to begin operations with a full schedule of network programs available, made possible by DuMont's construction of a microwave relay system between New Haven and New York.

2nd MPAA Short Ready

"Letter to a Rebel," second of the industry's short subjects on American Democracy, will be released on June 25, it was announced jointly yesterday by RKO-Pathe and the Motion Picture Association of America. The series is sponsored by the association to illuminate aspects of American life. Member companies are producing. "Letter to a Rebel" carries a foreword by Eric Johnston, MPAA president.

Moffitt Theatre Burns

ATLANTA, June 15.—The New Fort Theatre in Fort Deposit, Ala., was destroyed by fire with a loss of between $10,000 to $12,000. John Moffitt is the owner.

CLASS

READY TO GO TO WORK FOR

M·G·M GREAT

APRIL 29

SPENCER TRACY, KATHARINE HEPBURN, VAN JOHNSON, Angela Lansbury, Adolphe Menjou, Lewis Stone in FRANK CAPRA's "STATE OF THE UNION."

MAY 20

"SUMMER HOLIDAY" (*Technicolor*). MICKEY ROONEY, GLORIA De HAVEN, Walter Huston, Frank Morgan, Butch Jenkins, Marilyn Maxwell, Agnes Moorehead, Selena Royle.

MAY 27

CLARK GABLE, LANA TURNER, Anne Baxter, John Hodiak in "HOMECOMING" Ray Collins, Gladys Cooper, Cameron Mitchell.

JUNE 3

"BIG CITY," Starring Margaret O'Brien, Robert Preston, Danny Thomas, George Murphy, Karin Booth, Edward Arnold, Butch Jenkins, Betty Garrett, Lotte Lehmann.

JUNE 10

JUDY GARLAND, GENE KELLY in "THE PIRATE" (*Technicolor*). Walter Slezak, Gladys Cooper, Reginald Owen.

JUNE 24

ESTHER WILLIAMS, PETER LAWFORD, RICARDO MONTALBAN, JIMMY DURANTE, CYD CHARISSE, XAVIER CUGAT in "ON AN ISLAND WITH YOU" (*Technicolor*).

OF '48!

YOU ALL SUMMER LONG!

N'48!

JULY 8

IRVING BERLIN's "EASTER PARADE" (*Technicolor*). Starring JUDY GARLAND, FRED ASTAIRE, PETER LAWFORD, ANN MILLER.

JULY 29

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AUGUST 5

GREER GARSON, WALTER PIDGEON in "JULIA MISBEHAVES" PETER LAWFORD, ELIZABETH TAYLOR, CESAR ROMERO, Lucile Watson, Nigel Bruce, Mary Boland, Reginald Owen.

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RED SKELTON, BRIAN DONLEVY in "A SOUTHERN YANKEE" Arlene Dahl, George Coulouris, Lloyd Gough, John Ireland, Minor Watson.

SEPTEMBER

"THE THREE MUSKETEERS" (*Technicolor*). LANA TURNER, GENE KELLY, JUNE ALLYSON, VAN HEFLIN, ANGELA LANSBURY, Frank Morgan, Vincent Price, Keenan Wynn, John Sutton, Gig Young.

* * *

LASSIE in "HILLS OF HOME" (*Technicolor*). Co-starring EDMUND GWENN, DONALD CRISP, TOM DRAKE, JANET LEIGH.

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Would Drop Rank's Films; Call Quota 'Unworkable'

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The temper of the whole meeting was that a now-or-never stand must be made if independent exhibitors are to survive. A nationwide campaign against Rank's methods was proposed on the theory that not only independents but the whole industry are likely to perish if he persists.

It was with some difficulty that

(*Continued on page* 4)

Gov't Bows to Full Court in Para. Suit

Dismissal of the Government's motion for injunctive proceedings to give force to the U. S. Supreme Court's decision in the Paramount anti-trust case is asked by the Department of Justice in a new order prepared in conformity with suggestions advanced on Tuesday at a hearing in District Court here. The move was made "for want of jurisdiction."

The Government also asks that further proceedings under the decision be held "before a full court of three judges" starting on Oct. 13.

The new order, copies of which were served on the defendants yesterday, will be presented to Judges Augustus N. Hand and Henry W. Goddard for entry on June 21.

Plan Coast Meet on Publicity Council

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By PETER BURNUP

DOUGLAS, Isle of Man, June 16.—Angry denunciation of the new British exhibitors' quota of 45 per cent and of J. Arthur Rank's new booking terms and business methods marked today's meeting of the Cinematograph Exhibitors Association general council here.

The temper of the whole meeting was that a now-or-never stand must be made if independent exhibitors are to survive. A nationwide campaign against Rank's methods was proposed on the theory that not only independents but the whole industry are likely to perish if he persists.

It was with some difficulty that

(*Continued on page* 4)

Gov't Bows to Full Court in Para. Suit

Dismissal of the Government's motion for injunctive proceedings to give force to the U. S. Supreme Court's decision in the Paramount anti-trust case is asked by the Department of Justice in a new order prepared in conformity with suggestions advanced on Tuesday at a hearing in District Court here. The move was made "for want of jurisdiction."

The Government also asks that further proceedings under the decision be held "before a full court of three judges" starting on Oct. 13.

The new order, copies of which were served on the defendants yesterday, will be presented to Judges Augustus N. Hand and Henry W. Goddard for entry on June 21.

Plan Coast Meet on Publicity Council

HOLLYWOOD, June 16. — Edward Cheyfitz of the Motion Picture Association of America's Washington office has arrived here to represent MPAA president Eric Johnston at a meeting of a committee of representatives of producers, distributors, guilds, unions and exhibitors to plan an in-

(*Continued on page* 2)

Personal Mention

HOWARD DIETZ, M-G-M advertising-publicity vice-president, left New York yesterday for the Coast.

•

J. PARNELL THOMAS, chairman of the House Un-American Activities Committee, who has been in a hospital for several weeks, has returned to his home in Allendale, N. J., for convalescence.

•

JULES STEIN, Music Corporation of America president, and his wife; CHARLES BOYER, RAYMOND MASSEY and MRS. MASSEY are among passengers sailing for Europe today on the *SS Queen Elizabeth*.

•

FRANK MCKENNA of M-G-M's Eastern story department, and MRS. MCKENNA have become parents of their fifth child, JOHN JOSEPH, born at the Holy Name Hospital, Teaneck, N. J.

•

GEORGE D. BURROWS, Allied Artists-Monogram executive vice-president and treasurer, will accompany STEVE BRODY, president, when the latter leaves the Coast for New York today.

•

LENDA BURNETT, head of the Film Classics booking department in Atlanta, has left that city for Washington and New York.

•

CARROLL PUCIATO, assistant to Realart sales manager BUDD ROGERS, is in Denver and Salt Lake City this week from here.

•

NORMAN ELSON, Trans-Lux Theatres vice-president, is in Boston today and will return to New York on Monday.

•

ALFRED HITCHCOCK is due here over the weekend from the Coast and will fly to England Sunday. INGRID BERGMAN will accompany him.

•

SCOTT R. DUNLAP, Monogram studio executive, has returned to the studio after being confined to his home by influenza.

•

CARMEN MIRANDA and her husband, DAVE SEBASTIAN, are due here today from Europe on the *SS America*.

•

ALEC S. NYARY, United Artists special representative, flew here yesterday from Honolulu.

•

JULES LAPIDUS, Warner Eastern sales manager, is in Boston from New York.

•

JACK SCHWARTZ, Bridgeport exhibitor, has been elected vice-president of the Jewish Service Bureau of that city.

•

JAMES A. FITZPATRICK, short subjects producer, is in town from the Coast.

•

TOMAS FLORES, Warner acting manager in the Philippines, is here from the Coast.

Loew's Minority Suit Settlement Approved

Settlement of a minority stockholders' suit against Loew's and present and former officers and directors over operation of the circuit's candy counters by the People's Candy Co. has been affirmed in N. Y. Supreme Court here by Justice Louis Valente.

Under the settlement, which was proposed by Loew's, the company agrees to revise contracts with People's Candy, requiring the candy firm to pay Loew's subsidiaries approximately $161,000 additional for the year ended Dec. 31, 1947.

Nicholas M. Schenck, Loew's president, will grant the company a one-year option to acquire from him 10,000 shares of present stock of the firm at $13.33 per share. This provision was made in answer to charges that Loew's failed to deduct as a corporate expense for income tax purposes alleged profit made by Schenck on the exercise of options on the company's stock and to recover profits made by him in a stock sale.

People's Candy also was named a defendant in the suit.

'Kingsblood' Will Be First Pioneer Picture

First picture to be produced by Pioneer Pictures, formed recently by Ralph Cohn and Jules Bricken, will be "Kingsblood Royal," based on Sinclair Lewis' novel. Deal for the screen rights will guarantee Lewis about $75,000, including a percentage of profits, a spokesman for the company said. Release has not been set.

Pioneer is negotiating with Ben Hecht to write the screenplay. Plans call for filming in the East.

Two Mexican Studios Face Strike June 26

MEXICO CITY, June 16.—Strike notice for a shutdown of two of five local studios, beginning June 26, has been filed by the National Cinematographic Industry Workers Union over its demand for a 60 per cent wage rise. Involved are RKO Radio's Churubusco and the Azteca, which was recently damaged severely in a $1,000,000 fire.

'IA,' Sopeg Tilt

(*Continued from page* 1)

compliance with a petition filed by "IA" Local H-63. SOPEG's contract expired last May 31.

An election date is expected to be set at a forthcoming NLRB conference here among representatives of both unions and the company. SOPEG, a CIO non-complying union, lost an "overwhelming majority" of its UA unit membership to H-63, and in addition the company has refused to deal with SOPEG because of its non-compliance.

New B'nai B'rith Film

S. Arthur Glixon, president of New York's Cinema Lodge of B'nai B'rith, is producing "Dealing in Futures," a documentary suggested by the vocational guidance work being done by the group.

5,700 Passes Weekly To Flood Victims

Portland, Ore., June 16.—All film houses in this city are jointly contributing 5,700 passes weekly to aid the morale of the Vanport flood refugees. The tickets are being handled by the recreation office of the local Red Cross, headed by director William Graeper of the Independent Theatre Owners of Oregon.

Foresees Video as Theatre Competitor

CHICAGO, June 16.—It is too early to predict the precise effect which television will have on the film industry, but it eventually will prove highly competitive, Max F. Balcom, president of the Radio Manufacturers Association, said at the organization's national meeting here at the Stevens Hotel. The sessions which began on Monday will conclude tomorrow.

Video Contract

(*Continued from page* 1)

tor of National Screen Service.

Members of the comparatively new organization will also vote on by-laws, elect officers and establish an agenda for future operations. Its sponsors contemplate national expansion, to embrace television stations, advertising agencies and film distributors and producers.

Tomorrow night's speakers will include Gene Martel, president of the Screen Directors Guild and Paramount's Eastern talent scout; Norman Blackburn, NBC's director of television programming; Ed Evans, CBS's director of films, and Kendall Foster, television director of the William Esty Advertising Agency.

Sells NCAC Interest

Alfred H. Morton, whose resignation as president of National Concert and Artists Corp., effective July 1, has been accepted by the board, has sold his interest in NCAC to O. O. Bottorff and Marks Levine, vice-presidents, who will continue as sole stockholders and who will alternate each year as board chairman and president. Morton has joined 20th Century-Fox to direct television activities.

Kelly in Television Post

NBC's N. Ray Kelly has been named assistant to the director of NBC television features service by Sidney N. Strotz, television vice-president. The service, established last week with Russ Johnston as director, will act as liaison between NBC and Jerry Fairbanks, Inc., in the production and procurement of films for NBC.

Griffith Building One

OKLAHOMA CITY, June 16. — Work has begun at Henryetta on the latest addition to the Griffith Theatres' Southwestern circuit, to cost $100,000, and be ready late this fall.

FCC Adopts Video Broadcast Ruling

WASHINGTON, June 16. — Federal Communications Commission today finalized a ruling proposed last month graduating the number of hours during which television stations must telecast programs weekly in proportion to the length of time the station has been operating.

The rule, which will go into effect on July 1, requires stations during the first 18 months of operation to prepare programs not less than two hours daily, five days a week, and a minimum of 12 hours a week, and stations after three years must telecast seven days a week for a minimum of 28 hours weekly.

Park Ave. Theatre

(*Continued from page* 1)

day that he closed the house Tuesday night when, during a private screening, projectionists put a reel of film in the projector upside down.

Issues involved are the number of projectionists employed, wage increases and vacation replacements for the booth men, both labor spokesmen and theatre management said. The Park Avenue, which employs seven projectionists, is seeking a "reasonable" reduction to bring the costs into line with those prevailing in "competitive" situations, according to John J. O'Connor, Universal-International vice-president. U-I operates the house on a lease from Walter Reade Theatres.

Herman Gelber, president of Local No. 306, in terming the theatre's action a lockout, said that a crew stood by yesterday upon instructions from IATSE.

Publicity Council

(*Continued from page* 1)

dustry council to guide public relations. The meeting, while not yet set, is expected to be held in a few days.

Last previous discussion of the plan, to which all sectors of the industry have pledged their participation, took place on April 8, with Johnston presiding. The idea for an all-industry public relations council first took root while Byron Price served as MPAA vice-president in Hollywood. Cheyfitz said he expects to remain here for two weeks.

Albany Golf Tourney

ALBANY, N. Y., June 16.—Variety Club here expects to have the largest turnout for its golf tournament at Shaker Ridge Country Club on Monday, according to Nate Winig, chairman.

Charles W. Powers, 58

CLEVELAND, June 16.—Charles W. Powers, 58, owner of the Hudson Theatre in Hudson, O., and a former Paramount salesman in this territory, died Monday after a heart attack. Burial was in New Haven, Conn. The widow survives.

Mrs. Nat Furst

Mrs. Nat Furst, wife of Nat Furst, Monogram branch manager, died here suddenly yesterday.

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JACK ARSON · JANIS PAIGE · DON DeFORE and! DORIS DAY

SUCH SONGS! ew-all Hit-Paraders!!

'S MAGIC'

'EM IN A BOX'

YOU OR NO ONE'

'M IN LOVE'

UN, RUN, RUN'

TOURIST TRADE'

"It's riotous! Tip-top! Doris Day brilliant, and something new and special!" —M. P. DAILY

"In every detail reminiscent of the top filmusicals for which Warners are famed!"—BOXOFFICE

"Will have them buying heavily! Devastating Doris Day is socko!"—FILM DAILY

"Lush and exquisite! Enormously entertaining! Doris Day someone to rave about!"—HOLLYWOOD REPORTER

"Unquestionably will score!"—DAILY VARIETY

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ROMANCE ON THE HIGH SEAS

IN COLOR BY TECHNICOLOR

A **MICHAEL CURTIZ** PRODUCTION

with OSCAR LEVANT ☆ S.Z. SAKALL · FORTUNIO BONANOVA ·

directed by MICHAEL CURTIZ · produced by ALEX GOTTLIEB

A WARNER BROS. PICTURES RELEASE Screen Play by Julius J. & Philip G. Epstein Additional Dialogue by I. A. L. Diamond • Orchestral Arrangements by Ray Heindorf

Para. 25-Year Club Caps Canada Meet

TORONTO, June 16. — Paramount Service Ltd. annual sales convention closed tonight with the staging of the yearly banquet of Canadian Paramount's 25-year Club, with Mabel May as the sole initiate. Theatre and distributors executives were among the guests at the affair for which Gordon Lightstone, Canadian general manager, was master of ceremonies.

Others present were managers, bookers and salesmen of the six branches from the Atlantic to the Pacific as well as officials from the Toronto office.

Two New Canadian Producing Firms

TORONTO, June 16.—Two new independent companies, Canam Films and Carillon Pictures, plan to produce here. R. Montgomery is reportedly interested in Canam, while officers of Carillon include Mel Turner, president; David J. Ongley, vice-president, and George H. Beeston, secretary-treasurer; the latter is a former director of Odeon of Canada.

Hancock to Build Two

BOSTON, June 16. — The John Hancock Life Insurance Co. will build a theatre on its housing development in Boston to seat about 1,000. It will also have a theatre in its new office building to seat 1,600.

500 New Theatres In Spain in 28 Mos.

Washington, June 16.—The Spanish Syndical Committee reports that 97 new theatres were opened in Spain in 1946, 263 in 1947, and 148 in the first four months of 1948, according to a Department of Commerce study prepared by film consultant Nathan D. Golden.

Mono. and Allied

(*Continued from page* 1)

gram, all presenting Hollywood stars with Canadian talent in support so far as possible, and with only such technical personnel as is not yet available in Canada recruited from Hollywood.

Renaissance is entirely Canadian-owned. CISP, organized by executive producers Joseph Than and Fields, long active in Hollywood production, is Canadian.

'Foreign Affair' Premiere

Overseas Press Club will sponsor the world premiere of Paramount's "A Foreign Affair" at the Paramount theatre here on June 28, with proceeds of the benefit, derived from the sale of mezzanine tickets for that night, to go to the club's "correspondents' fund."

Enchanting Lois (MICKEY) Butler, screen's newest sensation, sings gloriously in Eagle Lion's heartwarming "MICKEY," in Cinecolor. More than 100 Midwest day-and-dates follow June 22nd World Premiere!

HEARING IS BELIEVING! We'll send you, absolutely FREE, Lois Butler's latest Capitol recording, "Dreams in My Heart." Write, wire or phone Exploitation Dept., Eagle Lion Films, 165 W. 46th St., New York 19, N.Y.

U. K. Exhibitors

(*Continued from page* 1)

W. R. Fuller, CEA general secretary, persuaded the meeting to postpone action on a proposal that all CEA members discontinue the bookings of Rank's films until exhibitors reach an agreement with him on his new booking terms. Counselling prudence, Fuller made arrangements for Rank to meet with the CEA general council next month, and delegates reluctantly agreed to postpone action until then.

The general council today adopted a resolution which declared the "proposed 45 per cent quota is unworkable owing to an insufficient supply of suitable British films and, if persisted in, will make the Quota Act a dead letter from the outset for a considerable number of exhibitors."

Inform Commons of Stand

The resolution was telegraphed to all members of the House of Commons preliminary to their debate on the new quota.

A succession of irate speeches suggesting that Rank is endeavoring to squeeze out all opposition in "a colossal financial operation" characterized the council session. The tenor of all speeches was that Rank's current output is not worth high percentages.

Charles Medcalf, a highly respected exhibitor, declared: "Rank is churning out rotten things; rotten in every sense."

Other speakers claimed Rank is dominated by financial interests only. Leslie Hill of CEA's Devon and Cornwall branch said: "There's not one showman in the top flights of the Rank organization."

All speakers expressed resentment over what they see as Rank's assumption, in his public utterances, of dictatorial powers with the manifest intention of crushing all independents by a "financial monstrosity."

Suggest Secession from CEA

Several speakers urged independent exhibitors secede from CEA and form their own "simon-pure" independent association.

Agreement was reached not to pay more than 50 per cent for any Rank picture and not more than 35 per cent in most instances.

Fuller pointed out that exhibitors competing with three or more circuit houses are entitled to apply to the Board of Trade for a reduced quota and advised all exhibitors so situated to apply immediately for relief.

The council approved of advising independents not to hesitate to default on the new quota in the event that Rank does not concede better terms.

MPAA Board

(*Continued from page* 1)

picture, including latest interpretations of the 27 permitted uses of unremittable American earnings.

The meeting today will weigh all aspects of the Allport report and if MPAA decides against registering a protest on the quota it is likely some companies will protest individually to the Board of Trade.

The meeting may also go into other foreign developments, including the French situation. Some of the urgency has been removed from the French situation, however, by the success of Gerald Mayer, MPAA international division manager, now in Paris, in getting a two-week delay in action in the French Assembly on two new confiscatory film import taxes.

Short Subjects

"The Fight Game"

(*March of Time—20th-Fox*)

With professional boxing currently enjoying something of a renaissance of popular enthusiasm, March of Time has what should prove to be a strong business puller. Although "The Fighting Game" makes no attempt to unearth undisclosed facts about the $14,000,000 boxing game it does serve up an adequately engrossing examination of the outward manifestations of it, namely, how some fights are "fixed," ring fatalities, the boxer-manager relationship, and fight promoting. It is a fast-action subject. Running time, 19 minutes.

"My Name Is Han"

(*Protestant Film Commission*)

"My Name Is Han," second documentary to be produced by the Protestant Film Commission and showing in impressive manner the benefits of the work of Protestant missionaries in China to a Chinese farmer. The film, running 27 minutes, will have simultaneous openings in 125 American and Canadian cities June 15. It is being released through Religious Film Association in both 35mm. and 16mm. Paul F. Heard was executive producer. The picture, which has English narration spoken by a Chinese, tells of a Chinese farmer and his family returning to their ravaged home and field.

Legion of Decency Condemns 3 Films

Distinguished Films' "Passionelle" (French), Oxford Film' "Torment" (Swedish), and Wilshire Productions' "Street Corner" have been placed in Class C by the National Legion of Decency.

Other films newly classified are: "Feudin', Fussin' and A-Fightin,'" Universal-International, and "Trail to Laredo," Columbia, both in Class A-I; "Portrait of Innocence" (French), Siritzky International, and "The Velvet Touch," RKO Radio, in A-II, and "Bad Sister," J. Arthur Rank—Universal-International, and "Mine Own Executioner," 20th Century-Fox, in Class B.

Ice Shows for Roxy

The Roxy Theatre will open an $80,000 ice stage with the change of program starting next Wednesday, A. J. Balaban, executive director, announces.

Reviews

"Man-Eater of Kumaon"

(*Universal-International*)

THE exploitation-minded exhibitor is offered in this tale of jungle menace a clear-cut opportunity to exercise his promotional ingenuity in terms of old-time spectacular showmanship. "Man-Eater of Kumaon" (title refers to the calibre of tiger which is native to a section of India) is one of those highly exploitable pictures the grossing strength of which is vested chiefly the quality of the customer lures that can be created in its behalf.

Based on a book of the same title by Jim Corbett, the film recites at an andante pace the mortal rivalry between a hunter from America (Wendell Corey) and a constantly stalking jungle cat which, by virtue of having been wounded, is forced to prey among the less fleet native villagers in the Indian province. What the film lacks in histrionic values is compensated for considerably in the gripping photography of the handsome beast in action.

The Jeanne Bartlett-Lewis Meltzer screenplay portrays Corey as somewhat indifferent at the outset to the fact that his initial failure to "finish off" the wounded animal has created a menace to life among the natives of the area, but when he comes to observe first-hand the unhappiness wrought by the stalking tiger he resolves to kill the beast. In so doing he makes secure the future happiness of Sabu and Joanne Page, cast as a young married native couple, but loses his own life in a bloody struggle with the tiger. With the exception of Morris Carnovsky, who lends vigor to his portrayal of a native village leader, the acting is only passable. Monty Shaff and Frank P. Rosenberg produced and Byron Haskin directed. Adaptation was by Richard G. Hubler and Alden Nash.

Running time, 79 minutes. General audience classification. July release.

CHARLES L. FRANKE

"Beyond Glory"

(*Paramount*)

IN "Beyond Glory," West Point serves as the background for a drama which, while unpretentious in its handling, proves an absorbing exhibit that will gain warm appraisal from the majority of patrons. Its heavy reliance on human interest gives the story ready acceptability as popular entertainment and the film succeeds uncommonly well in creating a sympathetic attitude toward Alan Ladd, a veteran who has the audience with him all the way in an inquiry bearing on his fitness to continue as a member of the cadet corps.

In his direction, John Farrow lost little opportunity to give the material as much suspense as possible. The series of moves by which Ladd is saved from expulsion are certain to be followed with heightened interest by the ordinary filmgoer. The problem faced by Ladd in the effort to clear him of charges made against him by a disgruntled youth expelled from the Academy has emotional value which should widen the picture's potential audience. Ladd's story is told, however, with an excessive use of flashbacks which may slow up the film for some. There is no questioning the sincerity of the acting, especially on the part of Ladd and Donna Reed, who are teamed to a romantic advantage. George Macready, George Coulouris and Henry Travers are among others worthy of mention. Robert Fellows produced from an effective script by Jonathan Latimer, Charles M. Warren and William Wister Haines.

Running time, 82 minutes. General audience classification. Release date, Sept. 3.

P. E. L.

"Mickey"

(*Eagle-Lion*)

LOIS BUTLER, a promising 16-year-old talent of splendid voice and winning looks, makes her screen debut in "Mickey." The vehicle provided for the occasion is a pleasing, homespun, comedy drama in Cinecolor about a small-town tomboy who has a penchant for upsetting the applecarts of convention. Its amiable brand of formula humor and portraiture seems made to order for the family trade, and especially the teen-agers, for whom exploitation angles are facile and many.

As Mickey, the central figure in the story, Miss Butler, it seems, would rather play baseball than practice singing, or any other lady-like avocations. As the story progresses, one of Mickey's innocent activities becomes so distorted by the local gossips, that her widowed father, a doctor, comes close to losing his opportunity to head the new town hospital. Things all turn out well, however, with Mickey even successfully turning her father's marital attentions in the direction of an attractive fashion editor.

Bill Goodwin portrays the father and Irene Hervey the editor. Others in the cast include John Sutton and Rose Hobart. The screenplay, by Muriel Roy Bolton and Agnes Christine Johnston, is a simple and conventional one, although it has moments of tasty flavor. Aubrey Schenck produced and Ralph Murphy directed. Among the songs are "Father Goose," "Dreams in My Heart" and "Minute Waltz."

Running time, 87 minutes. General audience classification. For August release.

MANDEL HERBSTMAN

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FITE PICTURE VALANCES
SIZE: 10 x 3 FEET.....$9.75
National Flag Company
43 W. 21st ST., NEW YORK, N. Y.
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Ansco Promotes Two

BINGHAMTON, N. Y., June 16.—William Balch has been named Eastern sales manager for Ansco and Harold A. Edlund has been appointed Western manager by Allan Williford, Ansco general manager. Balch will continue as New York district manager and Edlund as Chicago manager.

THE *SURPRISE* PICTURE OF THE YEAR!

THE FULLER BRUSH MAN

is doing sensational business in all engagements—large and small—holding over everywhere

- ✓ SEATTLE
- ✓ OAKLAND
- ✓ STOCKTON
- ✓ HARRISBURG
- ✓ CINCINNATI
- ✓ CLEVELAND
- ✓ SAN FRANCISCO
- ✓ HARTFORD
- ✓ DETROIT
- ✓ BUFFALO
- ✓ NEW YORK
- ✓ OKLAHOMA CITY
- ✓ DENVER
- ✓ HAVERHILL, Mass.
- ✓ PORTLAND, Ore.
- ✓ SPOKANE
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✓ Check with the exhibitors who have played it or are playing it!

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presents

RED SKELTON
as
THE FULLER BRUSH MAN

co-starring JANET BLAIR

with
Don McGuire • Hillary Brooke • Adele Jergens • Ross Ford • Trudy Marshall

AN EDWARD SMALL PRODUCTION

Screenplay by Frank Tashlin and Devery Freeman
Based upon a SATURDAY EVENING POST story by Roy Huggins
Produced and Directed by S. SYLVAN SIMON

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 118 NEW YORK, U.S.A., FRIDAY, JUNE 18, 1948 TEN CENTS

MOTION PICTURE ASSOC. OF AMERICA, INC. (CHAMBERS)
28 WEST 44TH ST.,
NEW YORK 18,
N. Y.

Partner Sues W. B. to Force Theatre Sale

First Divestiture Test Under High Court Ruling

WASHINGTON, June 17.—Probably the first suit to employ the Supreme Court's Paramount decision as basis for forcing one of the big five to give up a theatre jointly owned with an independent was filed in District Court here today by the K-B Amusement Co. against Stanley Co., Warner Brothers theatre operating subsidiary.

K-B and Stanley each own 50 per cent of the MacArthur Theatre here, and the complainant asks the court, among other things, to order Stanley to transfer its interest in the MacArthur on the ground that the Paramount decision said the big five must give up jointly-owned theatres where the join ownership is an alliance with one who would be an independent operator but for the joint ownership.

The case has many complications and ramifications beyond this, however. The complaint charges Stanley

(*Continued on page* 4)

Majors, SAG Pact Talks Set for Tues.

HOLLYWOOD, June 17.—Screen Actors Guild and producers' representatives are preparing to resume contract negotiations here on Tuesday. Talks were broken off by the guild on April 2 due to the reported unwillingness of producers to make reissues and television clauses the first items for discussion.

It is believed that agreement has been reached between the parties to assign these questions to special study committees while other issues are dis-

(*Continued on page* 2)

ASCAP in New Bid For Consent Decree

WASHINGTON, June 17.—ASCAP officials have submitted a new proposed consent decree to the Justice Department in the Government's anti-trust suit against the Society's foreign affiliations, Justice officials revealed today.

They declared they thought there was a "good possibility" of reaching

(*Continued on page* 2)

D of J Holds N. Y. Court Injunction Governs Para. Case

WASHINGTON, June 17.—Rejection of the Government's proposed order and temporary injunction in the Paramount case by the New York Federal Court last Tuesday results in the reinstatement of the original injunction of the lower court, Robert L. Wright, assistant to the Attorney General, said today.

With that injunction now in effect, all the guess work, and the responsibility for wrong guesses, is up to the defendant companies' lawyers, he pointed out. The Justice Department's idea in presenting the new order, he said, was to clarify and reinterpret everything in the light of the Supreme Court decision.

The lower court's refusal to act, Wright contends, means that the legality of many courses of action is uncertain and will continue so. Con-

(*Continued on page* 4)

Raise $252,575 at UJA Drive Opening

A total of $252,575 was raised here yesterday at the amusements division of the United Jewish Appeal luncheon at the Hotel Astor, marking the formal launching of the campaign for 1948. No fixed quota has been set for this year's drive.

Principal speaker at the luncheon was Reuven Dafni, a major in Israel's security forces, who discussed the present crisis in Palestine. Moss Hart and George S. Kaufman, playwrights, were co-chairmen of the luncheon, and Harry Brandt, circuit executive, was fund raiser. Brandt reminded that the amusement division will hold a

(*Continued on page* 2)

Test Case Sought on Legality of Cryptix

The Government has been asked to make a test case of the legality of Cryptix, a method of numbering tickets that enables a theatreman to keep his grosses confidential, it was disclosed here yesterday by Willis Vance, Cincinnati exhibitor serving on the ticket committee of Allied States.

Vance reported that the Federal Bureau of Internal Revenue had ruled against the continued use of Cryptix, which provides each exhibitor with his own individual ticket numbering system. The theatre man, who is responsible for the development of Cryptix, said that use of the system will

(*Continued on page* 2)

U.S. Council Member Unneeded: Wilson

London, June 17.—British Board of Trade president Harold Wilson told a meeting of the Kinematograph Renters Society council in reply to remonstrances over the exclusion of American representation on the British industry Films Council that there is no reason for thinking American representation is necessary.

Wilson's assertion, together with KRS comments, has been sent to the Motion Picture Association of America, it was said.

Commons Told U. S. Out-Traded Britain

LONDON, June 17.—Britain's delay in publishing the Anglo-American tax agreement and "the manner in which terms dribbled out" gave the impression that the government was "thoroughly ashamed of the agreement," Parliament member Oliver Lyttleton stated in Commons today.

Lyttleton acknowledged that Board of Trade president Harold Wilson's position in the negotiations was "difficult," but said he thought Wilson underestimated the negotiating position of the British industry. The agreement, he held, bears many signs of

(*Continued on page* 4)

Industry Publicity Fails: Youngstein

The industry's public relations effort as fostered by the Motion Picture Association of America and exhibitor organizations is "the worst butchered job in the industry's history," Max E. Youngstein, Eagle-Lion's advertising-publicity vice-president, charged yesterday as he began his administration as president of the Associated Motion Picture Advertisers.

Addressing a gathering of some 300 AMPA members and industry guests

(*Continued on page* 4)

Name Gadoni Loew's Manager for Omaha

CHICAGO, June 17.—The appointment of William Gadoni as Loew's branch manager in Omaha was announced here by William F. Rodgers, Loew's general sales manager. Gadoni succeeds Jerry McGlynn who is being transferred to Des Moines as branch manager, replacing D. C. Kennedy, who is leaving the industry.

MPEA to Ask State Dep't to Protest Quota

Claims Britain Violates Anglo-U. S. Trade Pacts

The board of directors of the Motion Picture Export Association yesterday asked Eric Johnston, president, to request the State Department to make a vigorous protest to the British government against the new British 45 per cent film quota.

Johnston also will ask the State Department to request negotiations with the British government to reduce or eliminate the greatly increased quota, as provided in the general trade agreement and the Havana ITO Charter.

At the same time, the State Department will be asked to protest the elimination of American representation from the Cinematograph Films Council, an advisory group to the Board of Trade. This Council, after elimi-

(*Continued on page* 4)

MPEA Relinquishes Selling in Holland

Directors of the Motion Picture Association voted here yesterday to sell independently in the Netherlands following expiration on Aug. 31, of present licensing agreements. The action was taken because the market has made sufficient progress economically to warrant restoration of individual company operation, it was stated.

Metro-Goldwyn-Mayer, Paramount, RKO, 20th Century-Fox and Warner Bros. will operate within the framework of a modified MPEA, which will function thereafter as a service organization. Allied Artists, Colum-

(*Continued on page* 4)

Coyne Sees Video Competing for Films

ASBURY PARK, N. J., June 17.—With a view to adjusting the motion picture industry to television, which he characterized as "the Number One scare of every theatreman," Robert W. Coyne, retiring executive director of Theatre Owners of America, today urged that the industry study the question of establishing "exclusives" in television for theatre use. He also recommended, in his talk at the first annual convention at the Berkeley-Cartaret Hotel here of the New Jer-

(*Continued on page* 2)

Personal Mention

WILLIAM A. SCULLY, Universal - International distribution vice-president, was in Boston yesterday from New York.

•

HARRY M. WARNER, Warner president, became a grandfather on Wednesday when DR. NATHAN S. HIATT and MRS. HIATT became parents of a son, born in Los Angeles. MRS. HIATT is the former LITA WARNER.

•

LEON J. BAMBERGER, RKO Radio sales promotion manager, will attend the Allied Theatre Owners of New Jersey convention at West End, N. J., June 28-30.

•

SAM MARX, M-G-M producer, who returned here yesterday from Boston, will leave early next week for the Coast.

•

ED BERKSON, treasurer of Screencraft Pictures, will be married on Sunday to MISS HELEN SILVER of this city.

•

E. R. HOLTZ, Detroit theatre operator, will return to that city tomorrow from New York.

Nero Films, Nebenzal Named in U. S. Suit

LOS ANGELES, June 17.—Nero Films and Seymour Nebenzal today were named defendants in a Federal Court suit filed by Attorney General Tom Clark in which the Government contends that the defendants sold radio rights to "Mayerling" for $1,000 after having been notified that ownership of the property had passed to the Office of Alien Property Custodian. The suit, first of its kind, is regarded as intended to establish a precedent. The novel by Jean Schapler has been the subject of lengthy litigation.

Eisenhower at Screening

Gen. Dwight D. Eisenhower was host yesterday at a screening of Paramount's "Beyond Glory" in the company's home office projection room. Adolph Zukor, Paramount's board chairman, welcomed the general and his party of 45 that included Gen. Courtney H. Hodges, Major Gen. Willard G. Wyman, Mrs. Eisenhower, Mrs. John Eisenhower, Gen. James Doolittle and Bobby Jones.

William D. Ward Dies

CLEVELAND, June 17.—William D. Ward, industry veteran, died yesterday of a heart attack at his home in Kenton, Ohio. He was a former manager of the 20th Century-Fox branch in Detroit and former owner of the Ohio Theatre, Kenton.

Universal Dividend

Universal Pictures Corp. board of directors yesterday voted a quarterly dividend of 25 cents per share on the common stock, payable July 31 to holders of record on July 15.

Video Competition

(*Continued from page* 1)

sey TOA chapter, that exhibitors provide for large-scale television in their theatres.

Alluding to the divorcement provisions of the Supreme Court decree in the Paramount case, Coyne intimated that video stations will be placed on the same competitive footing as theatres, with producers free to sell to the highest bidder.

Other speakers at the meeting were Gael Sullivan, who is Coyne's successor, and Herman Levy, TOA general counsel, who conducted a discussion of the industry anti-trust suit.

Asserting that the industry is suffering from "court shock," Sullivan called for the abandonment of "*status quo* thinking" in favor of "positive action."

Legislation affecting New Jersey exhibitors was discussed during the business session, with the TOA unit agreeing to call upon the Federation of New Jersey Theatres to spearhead a "united front" attack on the Bator bill which would prohibit children under 16 from admittance to theatres if unaccompanied by adults, thereby raising the age limit from the current 14.

Maurey Miller, president of the New Jersey chapter, was chairman of the meeting.

UJA Drive Opening

(*Continued from page* 1)

dinner for Louis B. Mayer at the Astor Hotel here on June 29.

Those attending the luncheon included: George Abbott, Claud Allister, A. J. Balaban, Barney Balaban, William Brandt, Harry Brandt, James J. Brenen, Max A. Cohen, Paula Crystal, Nat N. Dorfman, Leo Edwards, S. H. Fabian, George Feinberg, Frieda Fishbein, Emil Friedlander, William J. German, Leonard H. Goldenson, Max Gordon, Frank Green, Jack Monroe, Bernard Hart, Clifford Hayman, Morris Jacobs, Red Kann, S. J. Kaufman, William Klein, Herbert Kubly, Malcolm Kingsberg, George Leffler, Louis Litito, Phillip Loeb, Karl Malden, Michael Mok, Louis A. Novins, Samuel Rinzler, Richard Rodgers, Sam Rosen, Phil Silvers, Sol Strausberg, A. P. Waxman, David Wayne, David Weinstock, Mrs. Billy K. Wells, H. Williams, J. Wildberg, Walter Vincent.

ASCAP Decree

(*Continued from page* 1)

some agreement on the new proposal. Justice attorneys feel that their hand has been strengthened by a recent ruling in New York District Court granting the Government's motion to dismiss an amended answer by ASCAP.

The Government officials said that if final agreement were not reached in the next four or five weeks, they would move to have the trial set.

$20,000 'Waltz' Opener

One of the biggest Radio City Music Hall opening days in some time was recorded yesterday with Paramount's "The Emperor Waltz," a gross of approximately $20,000 being estimated for the day.

KMTA Board Names Group to Plan Meet

KANSAS CITY, June 17.—Glen Hall, Virgil Harbison and Dale Danielson were today named co-chairmen of a general committee to plan the annual convention of Kansas-Missouri Theatre Association which will be held here October 5-6. They were named at a meeting of the K-MTA board of directors, at which Homer Strowig, the association's president, was chairman.

The board also discussed local phases of "Youth Month" activities as part of the Theatre Owners of America project to combat juvenile delinquency.

'Hard Bargaining' Is Cited in Trust Trial

John F. Murphy, Loew's booking executive in Louisville, testified in U. S. District Court here yesterday that there has been "nothing cut and dried" about negotiating for Columbia product for Loew's houses in that city.

A witness for the distributor-defendants in Fifth and Walnut Amusement's $2,100,000 anti-trust suit, which is now in its fifth week of trial before Federal Judge Vincent L. Leibel and a jury of 12, Murphy described the "stormy sessions" he said he has had with Columbia sales executive Louis Weinberg in his efforts to secure product terms.

Alters Plea in Suit On Copyright Breach

Joseph Albino, one of two defendants charged with criminal infringement of film copyrights involving Columbia's "Gilda," has changed a previous plea of not guilty before U. S. Judge Harold M. Kennedy in Federal Court for the Eastern District in Brooklyn. Sentencing of Albino has been deferred until next Thursday, while co-defendant Henry L. Brook will go on trial June 28.

Bessey, Ward Named Altec Vice-Presidents

H. M. Bessey has been designated executive vice-president of Altec Service and A. A. Ward vice-president in charge of manufacturing, according to an announcement made at a board meeting by G. L. Carrington, president.

Officers reelected to the board are: Carrington, Bessey, Ward, P. F. Thomas, treasurer; and R. J. Belmont, assistant secretary-treasurer.

Wilder To Make Two Per Year for U.A.

W. Lee Wilder, producer of United Artists' "The Vicious Circle," to open here shortly, has concluded arrangements with UA for the distribution of two films each year for the next two years. Wilder's first is scheduled to start within 60 days. His second, "Desert Brigade," will be in color. Wilder also has in preparation W. Somerset Maugham's "Sheppey."

Cryptix Test

(*Continued from page* 1)

be continued in his four theatres until an interpretation of the Internal Revenue Bureau's ruling can be made. He termed the Government's ban unjustified and asserted it was based on outdated tax regulations.

According to Vance, Cryptix, which substitutes alphabetical characters for conventional figures on tickets, has the support of national Allied and is now in use in some 30 houses in the [illegible] area.

Majors - SAG Talks

(*Continued from page* 1)

cussed. SAG has insisted that it will not sign a contract to replace the one which expires at the end of next month without provisions on reissues and video.

Meanwhile, SAG has taken the necessary legal steps for strike action if the negotiations fail. The guild is also continuing talks with the Independent Motion Picture Producers Association, which was accorded special concessions last year.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
BING CROSBY JOAN FONTAINE
in "THE EMPEROR WALTZ"
Color by TECHNICOLOR
A Paramount Picture
SPECTACULAR STAGE PRESENTATION

Paramount presents
BETTY HUTTON · MACDONALD CAREY
in "Dream Girl"
A MITCHELL LEISEN PRODUCTION
in Person
"HOUR OF CHARM" ALL-GIRL ORCHESTRA
Under the Direction of PHIL SPITALNY
presenting EVELYN and Her Magic Violin
plus SIBYL BOWAN
PARAMOUNT TIMES SQUARE
MIDNIGHT FEATURE NIGHTLY

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

RKO presents
"DESIGN for DEATH"
ACADEMY AWARD WINNER Best documentary feature of 1947!
Air-Conditioned
VICTORIA B'WAY AT 46th ST.
Doors Open 9:45 A.M. • Late Show Nitely

PEGGY CUMMINS - CHARLES COBURN
ROBERT ARTHUR
"Green Grass of Wyoming"
A 20th-Century-Fox Picture in Technicolor
PLUS ON STAGE—HARRY RICHMAN
THE CRADDOCKS - MING & LING
CHANDRA KALY and His Dancers
ROXY 7th Ave. & 50th St.

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NOT SINCE THE WORD ON
"THE HOUSE ON 92nd STREET"
WILD-FIRED THROUGH THE INDUSTRY
HAS THERE BEEN SUCH EXCITEMENT
ABOUT A PICTURE!
"This motion picture was adapted from the files of the F B I. Wherever possible it was photographed in the original locale and played by the actual F B I personnel involved!"
FROM THE FILES OF THE F. B. I.
THE STREET WITH NO NAME
"THE STREET WITH NO NAME" Starring MARK STEVENS RICHARD WIDMARK with LLOYD NOLAN • BARBARA LAWRENCE • Ed Begley • Donald Buka • Joseph Pevney John McIntire • Walter Greaza • Howard Smith • Directed by WILLIAM KEIGHLEY • Produced by SAMUEL G. ENGEL Original Screen Play by Harry Kleiner
20th CENTURY-FOX
MEANS BUSINESS

Youngstein

(*Continued from page* 1)

at the organization's induction luncheon in the Hotel Astor here, Youngstein lashed out bitterly against the making of industry public relations exclusively the domain of "a bunch of executives who sit in a room and exchange bromides."

Deploring as unjust many of the criticisms which have been hurled at the industry by outsiders, the AMPA president asserted that the way to improve industry public relations is to include in the effort toward betterment the active participation of rank and file publicists, namely, AMPA's members. Additionally, he declared, good pictures are also the answer—not talk.

AMPA, he acknowledged, has been on the point of dissolving for several months, but he resolved to bring about its revitalization during the coming year with the cooperation of the members.

New York City's motion picture production code, which is now nearing completion, will be applicable as well to television operations, it was disclosed yesterday by Judge Edward C. Maguire, chairman of Mayor William O'Dwyer's film coordination committee. Meanwhile, he added, the one-day service which has been established by the city in the past year in the granting of motion picture location shooting permits is now being enjoyed by television producers also.

Sharing the dais with Youngstein were: David Blum, Evelyn Koleman, Irene Rich, Phil Williams, Lois Butler, Judge Edward C. Maguire and Charles Alicoate.

New Price Scale Ups 'Time' Attendance

Attendance at the Mayfair Theatre here, where "The Time of Your Life" continues in the fourth week of its premiere, jumped over 1,000 admissions a day since last Tuesday when a lowered price scale went into effect, United Artists, distributors for the William Cagney production, announced. The new price policy ranges from 60 cents opening until 1 P.M.; 85 cents to 6 P.M.; and $1.25 for evening hours. The Sunday scale ranges from 90 cents to $1.25.

Video Equipment at 20th's Boston Office

BOSTON, June 17.—Camera and television equipment will be housed in 20th Century-Fox's Boston office, it was disclosed today following conferences here between company television officials from New York and Edward Callahan, 20th-Fox Boston manager, and Albert Fowler, publicist.

Tom Miller Appointed

OTTAWA, June 17.—Tom Miller has been placed in charge of theatrical distribution in Western Canada for National Film Board.

LOUIS vs. WALCOTT
FITE PICTURE VALANCES
SIZE: 10 x 3 FEET.....$9.75
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43 W. 21st ST., NEW YORK, N. Y.
Tel. GRamercy 5-5858

Review

"A Date with Judy"

(*Metro-Goldwyn-Mayer*) *Hollywood, June* 17

PRODUCED lavishly in Technicolor by Joe Pasternak, this comedy with music, derived from the radio program of the same title, is light, pleasant, high class entertainment for the whole family, and is stocked with marquee names equal to the exploitation requirements of all types of theatres.

Teen-age romance and family life are the prime story ingredients, but Jane Powell, Carmen Miranda, Xavier Cugat and his orchestra supply a lively musical content, the numbers fitting snugly into the narrative. Wallace Beery as the father and Selena Royle as the mother are especially effective in a uniformly competent cast that includes Elizabeth Taylor, Robert Stack, Scott Beckett, Leon Ames and George Cleveland. This attraction figures to do top business.

The script by Dorothy Cooper and Dorothy Kingsley opens on the eve of a high school dance for which Miss Powell, as Judy, has a date with Beckett, whose sister, Miss Taylor, Judy's rival, persuades him to send a substitute. Miss Powell enlists Stack, college-age soda jerker, to escort her to the dance, and quickly believes herself to be in love with him, although he is enamored of Miss Taylor, and she of him.

From this start stem several complications and sub-themes concerning neglectful parents, rhumba lessons, radio programs and wedding anniversaries, all woven smoothly into the running story, which is principally funny, sometimes emotional and always amusing.

The direction by Richard Thorpe is remarkably successful in view of the multiplicity of story threads and the shifting emphasis on the principals. Georgie Stoll's musical direction gets the maximum value from the numbers.

Running time, 113 minutes. General classification. Release, not set.

WILLIAM R. WEAVER

Britain Out-Traded

(*Continued from page* 1)

imprecision and unnecessary haste. Lyttleton maintained a better deal could have been gotten for Britain if her negotiators had been more tenacious. Many of the provisions, he added, bear no sign of skilful, expert negotiation.

He said there is no reason to suppose that the net amount of remittances to the U. S. will be confined to $17,000,000. All permissive uses here of unremittable earnings, he said, save dollars for the American companies.

O'Brien Applauds Wilson

While Opposition members continued their attack on the agreement, Labor members, head by National Association of Theatrical and Kine Employes general secretary Tom O'Brien, supported Wilson. O'Brien asserted that Wilson is to be congratulated for "a first class piece of work."

In replying that he agreed that announcement of the terms were delayed unusually long, Wilson said there was no other way to reduce the dollar drain. Before the agreement became effective, remittances were $1,000,000 a week, he said.

It is impossible to keep theatres open without American films, Wilson pointed out, adding that the British were, therefore, not in a position to dictate terms with respect to blocked sterling or bigger bookings in America for British product.

Films Talks with Russia

Wilson also revealed that preliminary negotiations for exchange of films with the Russian government have begun.

Regarding the quota issue, Wilson, questioned in Commons as to what steps he proposes to increase the showing of short subjects in British theatres, replied that he has no power to make such proposals at present, but added that he intends to appoint a committee to review short subjects distribution and exhibition terms.

Meanwhile, he said, he would like to see distributors arrange for greater showing of British shorts.

MPEA-State Dep't

(*Continued from page* 1)

nating American representation, recommended the high quota adopted by the Board of Trade.

"This screen quota is excessive and unnecessary," Johnston said. "Its requirements obviously can't be fulfilled by British producers. We can therefore only consider it as a gratuitous affront to the American motion picture industry.

"We shall immediately ask the State Department to protest to the highest levels in Great Britain because a 45 per cent quota clearly violates the spirit of the international trade agreements to which our two countries are signatory.

"These agreements seek to reduce trade barriers and promote freer trade among nations in the interest of sound world economic recovery. This 45 per cent quota obviously runs counter to these aims," Johnston said. "The purpose of the new quota proposal is to damage and discriminate against American interests."

Prior to the adoption of the ITO Charter in Havana, the British also imposed a distributors' quota, but this so-called renters' quota was outlawed by the Charter.

Pending further developments on the quota situation, the board voted to postpone consideration of the schedule of interpretations of the Anglo-American film agreement.

MPEA Relinquishes

(*Continued from page* 1)

bia, United Artists and Universal reserved decision on their use of MPEA facilities until a later date. Under the new arrangement, each of the participating members will have its own sales supervisor, salesmen, bookers and publicity men, with MPEA carrying out the physical distribution of films, billing and collection of film rentals and maintenance of records.

The MPEA board designated Arnold C. Childhouse, MPEA managing director in Holland, to serve as temporary manager of the new service organization.

Partner Sues

(*Continued from page* 1)

and Warner with plans to maintain and preserve "monopolistic control" in one Washington area, and specifically with attempting to block K-B plans for a new theatre by refusing to dispose of their interest in the MacArthur unless K-B abandons its new project. K-B says Warners fears the proposed theatre would compete with several Warner theatres in the area.

Would Have WB Yield Site Interest

In addition to asking the court to force Warners to give up its interest in the MacArthur, K-B is also asking that the court determine what interest, if any, Warner has in the site for the new theatre, and also force the company to give up whatever that interest may be.

According to the complaint, back in 1945, K-B, which operates a chain of theatres in Washington, announced plans in 1945 to build a new theatre on MacArthur Boulevard. Warner within several weeks announced it had plans to build a theatre less than three blocks away, solely, K-B says, to intimidate it. The two companies got together and agreed to form a partnership to run the new theatre.

Say WB Balked on Second Theatre

At the same time, as part of the deal, the two companies agreed with Kass Realty Co., which owned the MacArthur site, that within two years they would pick a site for a second jointly-operated theatre or forfeit $100,000. When the New York District Court entered its findings in the Paramount case, the complaint says, Warner refused to go ahead with plans for the second theatre, Kass refused an extension on the time, and K-B itself designated the new site.

One attorney for Warner Brothers here said that "without" having seen the complaint he would judge that the K-B company could not get any final action out of District Court here until the New York court conducted hearings and entered new findings on the divestiture question, as directed by the Supreme Court. "Until then," he said, "I just don't see how they have a case."

D of J Holds

(*Continued from page* 1)

tempt liabilities will accrue now for violations of any parts of the court's injunction which ultimately are upheld. Thus, defendants' attorneys will have to guess which parts will be sustained and, accordingly, which parts must not be violated without risking contempt penalties.

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 119 NEW YORK, U.S.A., MONDAY, JUNE 21, 1948 TEN CENTS

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38.7% of U.S. Theatres Show Singles: MPAA

25 Per Cent Are on a Straight Dual Policy

Only 38.7 per cent of the 18,351 film accounts listed in the records of the Motion Picture Association of America have a single-feature policy; the remaining 61.3 per cent show doubles full or part time.

Some 25.1 per cent present double bills only, and an additional 38.7 per cent double part of the time, the MPAA's research department will reveal today, in reporting an April, 1948, national theatre survey.

The New York exchange area leads theatres showing double features regularly, with a percentage of 76.6; 10.6

(*Continued on page* 4)

Vogel Cites Loew's Caution in Booking

Joseph R. Vogel, Loew vice-president in charge of theatre operations, testifying in U. S. District Court here at the weekend at the trial of Fifth and Walnut Amusement's anti-trust action against distributors, revealed that 20 years ago Loew's legal department cautioned the company to refrain from booking product of other theatre-owning distributors, and said that that advice has been followed as closely as possible ever since. The legal department, he testified, so advised in

(*Continued on page* 4)

True-Name Bill Now Massachusetts Law

Boston, June 20.—The true-name bill signed by Governor Bradford will affect all motion picture and other actors performing within Massachusetts. Upon entering the state they must file with the Department of Public Safety their true names and addresses. This will also include those making personal appearances. However, they can use their assumed name while performing. Massachusetts is the first state to have such a law.

Canada Plugs Leak On Projector Tax

Ottawa, June 20. — The 25 per cent excise tax on 16mm. projectors has been extended to cover 16mm. projector mechanisms, sound equipment, arc lamps, lenses, bases and reels because they are being imported as untaxed parts and later assembled in Canada to avoid the excise on finished projector imports.

Congressional Probe Of FCC Starts Soon

WASHINGTON, June 20.—A Congressional investigation of the Federal Communications Commission appears likely this summer. The House rules committee on Friday cleared for floor action a resolution establishing a special investigating committee.

The committee would be authorized to go into the Commission's power to consider program content in licenses, whether it had in any way favored Communist Party members in granting stations, and other matters.

Meanwhile, Republican Senator Capehart continued to block confirmation of the nomination of Frieda B. Hennock as FCC Commissioner.

Para., 20th-Fox Video Permits Up Today

WASHINGTON, June 20.—Hearings on five applications, including those of Paramount and 20th Century-Fox, for San Francisco's three remaining television channels will resume here tomorrow. Spyros P. Skouras, 20th Fox president, is a scheduled witness.

Hearings were held on the West Coast a few weeks ago, and recessed to resume in Washington.

See Boycott Again in UK

LONDON, June 20.—British exhibitors fear, not without reason, that the latest developments arising from the 45 per cent film quota for theatres may result in the return of the American companies' boycott which arose from the enactment of the 75 per cent *ad valorem* levy last year.

Action of the board of the Motion Picture Export Association, in New York last Thursday, in deciding to protest the quota increase to the U. S. State Department on the grounds that Britain is violating Anglo-U. S. trade pacts, brought from a British Board of Trade spokesman the observation that, "Surely, Americans cannot complain we encourage our own industry," pointing out that even with the 45 per cent quota there still is 55 per cent of British screen time available to American product.

In considering the how and why American film interests interfere with "our internal legislation," the impression is gained in some British film

(*Continued on page* 2)

Refutes D of J On Technicolor Decree

HOLLYWOOD, June 20.—Technicolor president Herbert T. Kalmus denies *Motion Picture Daily's* story of June 10 from Washington quoting a Department of Justice official to the effect his company is seeking a consent decree in the Government's anti-trust suit. Kalmus had previously stated Technicolor holds the Government has no case and that the company will defend the case on its merits. He said no negotiations for a consent decree have been carried on and none are contemplated.

Protest on UK Quota Is Held Unlikely by US

State Dept. Awaiting Official Embassy Report

WASHINGTON, June 20. — State Department officials have indicated that any U. S. Government protest against the increase in the British quota law, which was approved by the House of Commons late Thursday night, was "extremely unlikely."

Admitting that they still want to get an official report from the London Embassy and study that, the officials said judging by press reports there was nothing in the film quota revision which discriminated only against American companies, and hence there existed no basis for a U. S. protest.

The Motion Picture Export Association on Thursday directed Eric Johnston, its president, to ask the State Department to protest to the British government against the revised quota on the grounds it is in violation of international trade agreements to which the U. S. and the United Kingdom are parties.

British Quota Gets Commons' Approval

LONDON, June 20.—The House of Commons approved at the weekend the order requiring that 45 per cent of the films shown in Britain be British-made. The order will now go to the House of Lords for confirmation. It will be operative for 12 months, starting October 1, next.

British Board of Trade president J. Harold Wilson, in his motion for Commons' approval on Friday, insisted that the new quota figure was based

(*Continued on page* 2)

Film Controls Abroad Are Increasing, US Reports

WASHINGTON, June 20.—Controls of varying nature have been imposed in Hungary, Finland, Uruguay and Algeria, having varying effect on Hollywood product or the operations of American companies in those countries.

Hungary has taken two steps to broaden its control over production, imports, distribution and exhibition, the Commerce Department reports.

Film consultant Nathan D. Golden states that all matters relating to films have been centralized in the new National Motion Picture Bureau, directly under the supervision of the Prime Minister. A new decree provides for more intensive censorship to eliminate scenes and dialogue which do not reflect the politics of the present regime.

Control of admission prices by Finland has ended, but the trade immediately set up a council to control prices and only small changes have taken place so far, according to Golden.

He reports that audiences have declined considerably recently as part of a general economy move.

Uruguay has decided to create a national film industry. Golden said the Ministry of Industries and Labor has appointed a commission of five to draft legislation creating the industry.

Video Exhibition Contract Drafted

First draft of a standard exhibition contract for films in television, formulated by the National Television Film Council, will be turned over to its television film committee shortly for consideration, following which it will be submitted to television stations and film distributors for approval. The committee is headed by Robert M. Paskow, film director of WATV, Newark. The proposed contract is

(*Continued on page* 4)

Personal Mention

JOSEPH BERNHARD, Film Classics and Cinecolor president, left here at the weekend for the Coast.

•

MESSMORE KENDALL, president of the New York Capitol Theatre, and MESSMORE, JR., will leave here by plane tomorrow for London, where they will meet MRS. KENDALL, and will then visit France, leaving the son there for schooling and returning here late in July.

•

HERMAN LEVY and GAEL SULLIVAN of Theatre Owners of America left here over the weekend to attend the Theatre Owners of North and South Carolina convention at Myrtle Beach, S. C., today through Wednesday. H. M. RICHEY of M-G-M also left here over the weekend for Myrtle Beach.

•

SPYROS P. SKOURAS, 20th Century-Fox president, who returned here over the weekend from Paris with 20th-Fox International head MURRAY SILVERSTONE, will be in New Haven today to attend the graduation of his son, SPYROS, JR., from Yale.

•

ROBERT COYNE of Theatre Owners of America left New York over the weekend to attend the convention of Mississippi Theatre Owners at Biloxi, Miss., today and tomorrow.

•

CHARLES H. LEHMAN, president of Telesonic Theatrephone Co., hearing aid manufacturers, has opened new headquarters at 3 East 48th St., New York.

•

EDWARD L. HYMAN, Paramount Theatres Service vice-president, and MAX FELLERMAN, theatre department executive, have returned here from Detroit.

•

RICHARD F. WALSH, IATSE president, is attending the Texas State Federation of Labor convention in Fort Worth today.

•

JULIAN BERMAN, Loew's International manager in Cuba, and MRS. BERMAN are vacationing in New York.

•

E. J. MANNIX, M-G-M studio executive, has left Hollywood for a month's vacation in Hawaii.

•

MCCULLAH ST. JOHNS has resigned as managing editor of *Photoplay* and *Radio Mirror*, effective Thursday.

•

FRED MYERS, Universal-International Eastern division sales manager, is in Buffalo from New York.

Press Party at Roxy

The Roxy Theatre here and 20th Century-Fox will be host to the press at a midnight ice festival tomorrow to inaugurate the theatre's new ice presentations which will supplement the regular screen and "in-person" show. A. J. Balaban, executive director of the Roxy, will be host at a buffet supper.

Filming Spurts at Hollywood Studios

HOLLYWOOD, June 20.—The production index rose to 36 from last week's 32. Eight new films went before cameras and four were completed.

Shooting started on "The Strange Mrs. Crane" (John Sutherland Production), Eagle-Lion; "Silver Trails," Monogram; "Brothers in the Saddle," RKO Radio; "Chicken Every Sunday" and "Tucson" (Sol M. Wurtzel), 20th Century-Fox; "Some Rain Must Fall" (James Nasser) and "Indian Scout" (Edward Small), United Artists and "Criss Cross," Universal-International. Shooting finished on "Quick on the Trigger," "Walking Hills," "Undercover Man" and "FBI Meets Scotland Yard" (Edward Small), Columbia.

Johnston Asks End of Protectionist Policy

Calling for a change from "some moss-backed thinking habits of our own foreign trade," Eric Johnston, president of the Motion Picture Association of America, declared here at the weekend that the U. S. should show the way toward a world of freer trade. He spoke on Friday at the convention banquet of the National Federation of Sales Executives at the Waldorf-Astoria Hotel.

"We expect Europe to hack down its artificial barriers and integrate economies, but here at home some of us still think that to export is divine but to import is dastardly," Johnston said, in part, and added: "Every dogma has its day, but our high protectionist dogma is getting mangy and has outlived its usefulness."

Quota Approved

(*Continued from page* 1)

on sober calculation. It compares with a current quota figure of 17½ per cent.

Referring to criticism of the order which has come from British exhibitors and from America, Wilson denied that the quota is fantastic and claimed he would be failing in his duty if he fixed any other figure.

Lords' approval of the quota will make it law.

See Boycott Again

(*Continued from page* 1)

circles that the Americans are not satisfied with the *ad valorem* agreement, which has not yet been given a chance to operate, and also the Americans do not fully appreciate that Britain cannot afford even the $17,000,000 released to them under the agreement.

DC Bill Awaits Signature

WASHINGTON, June 20.—With Senate passage of a bill requiring theatres and other amusement places in the District of Columbia to pay the cost of any extra police or fire service required for "special events," the measure is awaiting the President's signature. The House passed the bill June 8.

Newsreel Parade

PRESIDENT TRUMAN on his tour, and honoring of Yank dead in France mark newsreel highlights in the current releases. Cardinal Spellman in Tokyo as well as sports and human interests round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 49—President Truman hailed at Los Angeles; winds up his tour of nation. Italy: President Luigi Einaudi takes charge of Italian army. Cardinal Spellman visits Tokyo. American dead honored in France. American beauties. Miss Atlantic City. Sports: horseracing. Japanese derby. Gymnastics. Austria's Olympics. Water skiing.

NEWS OF THE DAY, No. 283—UN mediator seeks Palestine peace. President Truman gets an eight-ball from Los Angeles press club. Cardinal Spellman in Tokyo. France honors American dead. Search begins for Miss America. Aqua-ski thriller. Darby day in Tokyo.

PARAMOUNT NEWS, No. 86—U. S. Olympic boxing finals. Tennis matches in Britain. Tokyo race track. Memorial for fallen Yanks in France. Truman family on tour. Swedish sailing expedition.

UNIVERSAL NEWS, No. 153—Danish ship hit by mine. French honor Yank heroes in Paris. Puerto Rico's largest sugar crop. Flying barnyard takes off. Rodeo. Trick pistol-shooter displays skill. Steeplechase thrills.

WARNER PATHE NEWS, No. 88—People: Gen. Smuts, President Truman, Duke Phillip and Cardinal Spellman. Palestine under truce. Bouncing baby. Potato harvest in California. Frenchman lives upside down. Kids vs. chopsticks. Olympic divers. Great Events: Gettysburg.

Rogers Fund Meeting Tomorrow in Boston

BOSTON, June 20.—Representatives of distributors and exhibitor organizations of New England, meeting at the Hotel Statler here on Tuesday, will be addressed by William F. Rodgers, M-G-M distribution vice-president; Abe Montague, Columbia sales head, and Edward Morey, Monogram vice-president, in an appeal for industry cooperation in the drive for funds for the Will Rogers Memorial Sanatorium. This will be the third in a series of territorial meetings.

MPAA Ad Unit Keep Vigil on Censor Bill

Although the Cuningham censorship bill to enlarge the powers of New York's license commissioner is expected to die in committee in City Council, the Advertising Advisory Council of the Motion Picture Association of America is watching for attempts to push the proposal through council, according to Charles Schlaifer, chairman of the advisory group, who has been working with Arthur De Bra of the MPAA against the measure.

Charges ICC Violations

ST. LOUIS, June 20.—U. S. Attorney Drake Watson has filed an information charging 30 counts alleging violations of Interstate Commerce Commission tariff regulations, Title No. 49, Sec. 317, on over-charges for transporting motion picture films, against Burtt's Delivery Service, operated by Clifford, Audrey and Marie Burtt.

Buck and O'Brien Head Catholic Actors

Gene Buck and Pat O'Brien were reelected president and vice-president at Friday's annual meeting of the Catholic Actors Guild. Also elected were: second vice-president, Jay Jostyn; recording secretary, Ed Begley; historian, Kathryn Givney; chairman of the executive board, Frank McNellis; social secretaries (Theatrical), Sibyl Bowan; (non-Theatrical), Lillian R. Fallon.

Executive board members for 1948: Martin Begley, Kirk Brown, Patsy Campbell, Donat Gautier, Jane Hoy, Jason Johnson, Tom Kane, Tom McElhany, Mrs. Paul Munter, William G. Norton, Harry B. Oldridge, Jane Taylor.

H-63 Meeting Today

Reports on progress in negotiations and organizing will be the principal subject of a general membership meeting to be held by IATSE Home Office Employes Local No. H-63 this evening at Palm Garden here. H-63 has made inroads recently in areas in which Screen Office and Professional Employes Guild has been functioning.

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United's DC-6 Mainliner 300 onestop flight

Leave New York 12:15 pm, arrive Los Angeles (Lockheed Air Terminal) at 8:25 pm.

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The name is

WIDMARK!

The electric excitement that has raced through the industry since the first preview of "THE STREET WITH NO NAME" is matched only by the word-of-mouth on the performance of Richard Widmark, first discovered as the brutal, blustering 'Big Man' in the "KISS OF DEATH"!

In addition to a great boxoffice attraction, every showman has a great new boxoffice star!

FROM THE FILES OF THE F.B.I.

THE STREET WITH NO NAME

"THE STREET WITH NO NAME" Starring MARK STEVENS RICHARD WIDMARK with LLOYD NOLAN • BARBARA LAWRENCE • Ed Begley • Donald Buka • Joseph Pevney John McIntire • Walter Greaza • Howard Smith • Directed by WILLIAM KEIGHLEY • Produced by SAMUEL G. ENGEL Original Screen Play by Harry Kleiner

20th CENTURY-FOX

MEANS BUSINESS

Review

"The Gay Intruders"

(*Seltzer-20th Century Fox*)

PSYCHIATRY is used as a springboard for mirth in "The Gay Intruders," a Frank Seltzer production. Sharing the leads in this comedy of marital errors are such notables of the legitimate stage as John Emery and Tamara Geva. Net result is pleasing entertainment, although at times the script's development is routine.

Story focuses on an acting couple who offer ideal harmony on the stage, but are the essence of marital discord off stage. Both consider themselves perfectly normal, and so each seeks out a psychiatrist to help the other. Psychiatrists Leif Erickson and Virginia Gregg have a time of it curing their respective patients, and in the process, get caught up in some boisterous doings, including a fine case of mistaken identity. The finale sees not only husband and wife readjusted to each other, but also the psychiatrists about to become husband and wife. Emery and Miss Geva perform well in a screenplay by Francis Swann, from an original by himself and Ray McCarey. Also in the cast is Roy Roberts, as a theatrical agent. McCarey directed, Hugh King was associate producer.

Running time, 68 minutes. Adult audience classification. Release date, not set.

MANDEL HERBSTMAN

Video Film Recorder Set for GOP Meet

The kinescope recording system will be used by National Broadcasting Television for the first time during the Republican national convention in Philadelphia this week. The programs will be recorded on film as they are presented on the NBC video network and then sent to New York for processing. The prints will be ready for shipment by air within 12 hours after the conclusion of each program.

These recordings will, in effect, provide a coast-to-coast television service for those stations not interconnected to the NBC network by coaxial cables or micro-wave relays.

Singles, Doubles

(*Continued from page* 1)

per cent play combination single and double features, and the remainder, 12.8, run singles only. New Haven is a close second with 75.5 per cent, 17.2 per cent are on the combination policy, and the balance of 8.3 show singles. Los Angeles is third with 64.7 per cent, 28 per cent show either single or double, and the rest, 8.3, are single runs. Detroit is fourth with 58.1 per cent, 29.8 per cent on the combination policy, and 12.1 use singles.

Theatres South of the Mason-Dixon line predominate with the single feature policy. The Charlotte area heads the list, at 77 per cent. Oklahoma City is second with 75.2 per cent, New Orleans third with 70.6 per cent, Dallas fourth, 69.5 per cent, Minneapolis, 67.3 per cent, and Memphis sixth with 63.1 per cent.

OF COURSE
you're going to book...
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Video Contract

(*Continued from page* 1)

designed to "protect the station's clearing rights, provide for the physical condition and handling of films, establish the responsibility of film distributors, standardize programming methods, expedite the return of film and the physical protection of prints and to otherwise standardize film practices."

Permanent officers of NTFC will be elected at a meeting in September. Meanwhile Melvin L. Gold, director of advertising-publicity for National Screen Service, has been re-elected temporary chairman, and Robert Wormhoudt, executive vice-president of Telecast Films, Inc., is secretary-treasurer.

A proposed central information bureau of NTFC would provide registering of television rights of film and music, and that registry would provide seals of approval guaranteeing to television stations the legal right of exhibition of such films. The bureau would also provide a catalogue of available films approved for television.

Vogel on Booking

(*Continued from page* 1)

light of industry litigations which had been pending and threatening at that time. But the advice represented no "iron-bound" rule, he said under cross-questioning.

Under questioning by defense attorney Edward Raftery, Vogel said that if Loew owned the National Theatre in Louisville, Fifth and Walnut house which the plaintiff alleges has been denied first-run product illegally, it would be operated as a theatre for Negro patrons. He reminded, however, that Loew's theatre operating policy does not include Negro houses.

Roadshow Negro Film

Astor Pictures will roadshow "The Betrayal," Negro feature written, produced and directed by Oscar Micheaux, starting here Thursday at the Mansfield Theatre, it has been announced by Robert M. Savini, Astor president. The film will be roadshown nationally.

FCC Defers Hearing

WASHINGTON, June 20. — Federal Communications Commission has postponed until September 28 further hearings on the inter-city television relay rates charged by A. T. and T. and Western Union.

FIRST IN FILM NEWS

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Counter-Order By Defendents DueTomorrow

Two Gov't Orders Will Be Filed Concurrently

A proposed counter-order on the U. S. Supreme Court's decision in the Paramount anti-trust case will be submitted by the defendants to Judges Augustus N. Hand and Henry W. Goddard in District Court here tomorrow for their approval.

At the same time the Department of Justice will present to the court two new orders for its consideration, one bearing the Supreme Court's mandate, the other on the Government's motion for injunctive proceedings.

The defendants will ask that the Government's motion be dismissed "for want of jurisdiction of the sitting judges to determine it," and that the proceedings be conducted before "a full court of three judges" beginning Oct. 13. They take the position that

(Continued on page 3)

Levy Warns of New Court Potentials

MYRTLE BEACH, S. C., June 21.—The decision of the Supreme Court in U. S. vs. Paramount has brought new problems and great litigation potentials to the industry, such as the determination by distributors of the reasonableness of clearance granted by them, the employment of competitive bidding and the restriction against the distributors arbitrarily refusing a run requested by an exhibitor, Herman Levy, Theatre Owners of America general counsel, told the Theatre Owners of North and South Carolina convention here today.

Calling for conciliation instead of

(Continued on page 3)

Para., 20th Resume Video Permit Fight

WASHINGTON, June 21.—Paramount and 20th Century-Fox today entered the second phase of their fight to obtain approval of a San Francisco video channel from the Federal Communications Commission. Five applicants seek assignment of two available outlets.

Hearings were begun on the West Coast last month, but were transferred

(Continued on page 6)

'Waltz' Sets New Record Here As B'way Grosses Lag

"The Emperor Waltz" and a Leonidoff stage presentation are a record-breaking combination at Radio City Music Hall, while business at most other Broadway first-runs is only fair this week. Warm weather over the weekend turned most crowds toward beaches and other outdoor amusement places, with theatres for the most part noting lighter attendances in consequence.

First four days of the new Music Hall bill brought a huge $97,000, an

(Continued on page 6)

B & K Cuts Matinee Prices in the Loop

CHICAGO, June 21.—In an effort to restore falling matinee attendance and to bolster grosses generally, all six Balaban and Katz theatres in the Loop will cut afternoon admission prices by nearly 50 per cent, it was announced today by John Balaban, secretary and treasurer of the circuit.

The new scale will go into effect on Thursday. Evening admissions will continue at 98 cents, except at the Garrick, where 85 cents will be charged.

Balaban stated that the decision is designed to redistribute theatre-going, which is now concentrated in evening hours and to contribute a measure

(Continued on page 3)

McNeil Seen Backing New Coast Circuit

SAN FRANCISCO, June 21.—Creation of Trans-California Theatres, Inc., is announced with the resignation of Rex Stevenson, division manager of the San Francisco and peninsula area, and David Bolton, division manager of Oakland, from Golden State Theatres, with which both were associated for many years. Reported to be the guiding force behind the new organization is Robert McNeil, who last year sold his partnership in Golden State.

Stevenson and Bolton will launch Trans-California with the management of theatres plus a film booking and buying service. Starlite Drive-In at Belmont, former Lippert house, and the new Starlite in South San Francisco have been acquired. Other houses to be managed include the Roxy at Santa Rosa, Del Rio at Los Banos, and a new house under construction in Los Banos.

Cheyfitz Cites Unity Need at AFL Meet

HOLLYWOOD, June 21.—Calling upon industry labor and management for "oneness of thinking and action" in the period of economic adjustment now confronting the motion picture industry, Edward T. Cheyfitz, Motion Picture Association of America executive, today cited three forces at work on the industry which compel all industry groups "to seek areas of agreement. He spoke at a luncheon of the Hollywood AFL Film Council.

The three forces he named were

(Continued on page 6)

British Quota Cannot Be Met: Johnston

Sends Protest to U. S.; Lords To Rule Tomorrow

WASHINGTON, June 21.—Eric A. Johnston, president of the Motion Picture Association of America, today formally asked the U. S. State Department to protest Britain's 45 per cent quota and in a subsequent statement characterized the measure as "impractical and impossible of fulfillment."

Johnston has had informal conversations with high State Department officials, though not with Secretary Marshall, to whom his communication was addressed, and on the basis of these he is said to be confident that a protest will be forwarded to London.

Late last week a formal protest was considered "extremely unlikely" by State Department spokesmen, who, however, added that an official report from the London Embassy had yet to be received.

Johnston supported his "impractical-and-impossible" charge by stating that

(Continued on page 6)

Johnston to Aid ERP Advisory Unit

WASHINGTON, June 21.—President Truman has nominated Motion Picture Association president Eric Johnston to be one of 12 leading citizens to advise Economic Cooperation Administrator Paul G. Hoffman.

ECA's Public Advisory Board was set up in the original European recovery legislation to advise the administrator on matters of "general or basic policy." The law provided that the 12 must meet at least once a month. Since Congress adjourned without Senate approval of the 12, they will probably be given interim appointment by the President.

Convertibility Bill Goes to President

WASHINGTON, June 21.—Convertibility of $10,000,000 of the costs incurred by producers and publishers in sending films and other information media into Marshall Plan countries would be guaranteed in a bill which Congress passed and sent to the President over the weekend.

The bill makes appropriations for

(Continued on page 6)

Shorter Clearance for Theatres in Twin Cities

Decision Reserved in Schine Case Motion

BUFFALO, June 21.—U. S. District Court Judge John Knight today reserved decision on a Department of Justice application for a temporary order to restrain Schine Chain Theatres, Inc., from selling or acquiring any theatre properties without court permission. Argument on the Government's motion in the Schine case was presented by Philip Marcus of the Justice Department, who maintained that the order was intended to carry out the mandate of the Supreme Court which recently ordered the District Court to restudy the divestiture clause.

Willard S. McKay, representing Schine, contended that the mandate should be filed with the District Court with no qualifications.

MINNEAPOLIS, June 21.—An increased number of 28-day availability runs in Twin-City double-A houses is contemplated by Metro-Goldwyn-Mayer, following M-G-M's recent move in inviting the Boulevard, Minneapolis, and the suburban Richfield, both independent theatres, to bid for a 41-day run. It is understood, however, that bidding for the runs will be slow, if accepted at all.

Metro sales toppers have conferred with Harry French, Minnesota Amusement Co. president, on clearance schedules, and made suggested clearance changes which they contended met the legal aspects of the Supreme Court decision in the Paramount anti-trust suit, as it pertained to making product available to all competitive situations.

Maco reportedly stymied the changes for the time being, the

(Continued on page 3)

30 Newsreel Cameras Eye GOP in Phila.

PHILADELPHIA, June 21.—The five newsreels, operating independently rather than on a pooling basis at the Republican national convention have a total of 30 cameras (in company with much television apparatus) to provide theatres with the most intensified coverage of any subject since the UN organizational meeting in San Francisco at war's end.

For the most part, definite plans on issuing specials have not been set, the plan being to incorporate most of the footage in regular issues, except coverage of any developments the newsworth of which warrant special treatment. However, at least Universal and News of the Day intend to ship shots of today's opening session tonight, instead of holding for the midweek issues on Wednesday.

George Dorsey, Warner Pathe News' Washington manager, has been appointed by all newsreels and the Republican National Committee to direct all newsreel policies at the convention. Dorsey will also direct Warner Pathe News coverage with Al Butterfield, editor-in-chief, and Jack LeVien, news editor.

Fly GOP Video Films To Chicago's WGN

CHICAGO, June 21.—Ten-minute film presentations of the highlights of the Republican convention in Philadelphia will be seen here twice daily starting tomorrow over WGN-TV. Shots will be prepared by the newsreel department of WPIX in New York and flown to WGN for showing approximately 24 hours after the events take place.

Similar television highlights of Democratic convention will also be covered by the station through arrangements with WPIX.

Richards Rescued From Sinking Craft

NEW ORLEANS, June 21.—E. V. Richards, Paramount-Richards theatre head, Mrs. Richards, and their son Billy, were in a night rescue from their sinking yacht, the *Sis*. They were taken from the boat after a sudden squall and high waves swamped it. The party had left Pascagoula on a vacation trip along the Gulf to Pensacola.

Kirk Quits Republic; 2 Managers Shifted

Thomas B. Kirk has resigned as Republic Dallas branch manager. James R. Grainger, executive vice-president, said Kirk is entering the theatre business in Arkansas.

Grainger also announced two transfers in branch managers, with John J. Houlihan moving from Cleveland to Dallas, and Irwin Pollard from Detroit to Cleveland.

Four 20th-Fox Reissues

Twentieth Century-Fox will reissue "Belle Starr" and "Frontier Marshall" this month, and "Rose of Washington Square" and "Slave Ship" in July.

Personal Mention

CHARLES M. REAGAN, Paramount distribution vice-president, has arrived in Hollywood from New York.

•

Y. FRANK FREEMAN, Paramount production executive, and his wife, and JACK KARP, studio legal advisor, and his wife have returned to the Coast from New York.

•

PERCIVAL B. SINGH, general manager of Roodal Theatres, Caribbean, Port of Spain, Trinidad, B.W.I., is here for a two-month visit.

•

EDWARD LACHMAN, Allied Theatre Owners of New Jersey president, returned to New York yesterday by plane from Paris.

•

ALBERT MANNHEIMER, who is in charge of Film Classics exchange operations, will leave here today for the Midwest.

•

CHARLES P. SKOURAS, president of National Theatres, has returned to Los Angeles from New York.

•

BERNARD GOODMAN, Warner exchange supervisor, will be in Boston and Albany this week.

•

STEVE BROIDY, Monogram-Allied Artists president, arrived here yesterday from the Coast.

•

BEN KALMENSON, Warner distribution chief, returned here yesterday from the Coast.

•

VERA RALSTON, Republic actress, will leave here tomorrow for Europe.

•

SYD GROSS, Film Classics publicist, will leave here today for Boston.

ANDY W. SMITH, JR., 20th Century-Fox sales head, is due in Los Angeles on Friday from New York.

•

SAM GEISON of Columbia's special events department and chairman of the American Veterans Committee motion picture chapter has been named public relations director for the national AVC, effective July 1.

•

ABE GOODMAN, production manager of 20th Century-Fox's advertising department, is celebrating the arrival of a new son to MRS. GOODMAN, at Gotham Hospital here. The baby is the Goodmans' third child.

•

MARIE ELIZABETH MULVEY, daughter of Samuel Goldwyn Productions president JAMES MULVEY, and MRS. MULVEY, was married in Brooklyn Sunday to WILLIAM G. WARD.

•

HERBERT J. YATES, Republic president, and MARY PICKFORD and her husband, BUDDY ROGERS, are among passengers sailing tomorrow for Europe on the *SS America*.

•

RITA BLOOM, daughter of JACK BLOOM, 20th Century-Fox home office sales executive, was married on Sunday to ELI LAGOZE at the Sherry Netherland Hotel.

•

MAX YOUNGSTEIN, Eagle-Lion advertising-publicity vice-president, left here yesterday for Des Moines.

•

EDWARD A. GOLDEN of Golden Productions is due back in New York next Monday from the Coast.

•

MAURICE T. GROEN, president of Films of the Nations, Inc., will leave here on July 3 for Europe.

190 Want Kaufman as License Dept. Chief

A committee of 190 from the entertainment industry here has launched a campaign to secure the appointment of S. J. Kaufman, member of American Arbitration Association and the Association of Theatrical Agents and Managers, to the post of New York City License Commissioner which will be vacated by Benjamin Fielding on June 30. Fielding will join Loew's in an executive capacity on July 1.

Among industry representatives on the committee are A. J. Balaban, Howard Dietz, George Jessel, Guy Kibbee, Otto Kruger, Lew Lehr, Fredric March, Arthur L. Mayer, Louis Nizer, J. Robert Rubin, Marvin Schenck, Walter Vincent.

Plan K-MTA Convention

KANSAS CITY, June 21.—Members of the committee which will handle arrangements for the Kansas-Missouri Theatre Association convention to be held here October 5-6 are: Frank Plumlee, George Baker, Bob Shelton and Sam Abend of Kansas City, and Elmer Bills of Salsbury. "Doc" Cook is secretary, Fred Meyn is treasurer, and Glen Hall, Virgil Harbison and Dale Danielson are co-chairmen.

Jack Kuhne Heads Movietone Filming

Jack Kuhne, associated in newsreel and short subject production with 20th Century-Fox and its precessor companies for 35 years, has been named supervisor of that organization's short subject filming, by Edmund Reek Movietone producer. Kuhne succeeds Jack Darrock, who is convalescing from a serious ailment.

Bergman to Europe July 1

Maurice Bergman, chairman of the Advertising and Publicity Directors Committee of the Motion Picture Association of America, will sail for Europe on July 1. During his absence of about a month, Bergman has appointed Arthur A. Schmidt, director of advertising-publicity for Columbia, temporary chairman.

New Theatre Here Sept. 14

The Paris Theatre, first new film house to be built in New York since the war, will open on September 14, according to Jacques Chabrier, president of Pathe Cinema of the U. S., owners of the theatre, at Fifth Avenue and 58th Street.

C. J. Latta to W. B.'s Office in London

C. J. Latta, former Upstate New York zone manager for Warner Theatres, is being assigned to the London office of Warner Brothers, where he will take over some of the duties heretofore handled by Max Milder, Warners managing director for Britain, who has been obliged to curtail activities for reasons of health. Latta is scheduled to arrive in London today with Sam Schneider, Warner vice-president.

Indications are that Charles Smakwitz, assistant zone manager at Albany, will be named to replace Latta there.

Lehrbas Heads U. S. Film 'Voice' Unit

WASHINGTON, June 21.—Lloyd A. Lehrbas, veteran newspaperman once associated with Fox Movietone News, has been named by the State Department as director of its Office of International Information. Lehrbas, who succeeds William T. Stone, will be in charge of the department's international motion pictures, press and "Voice of America" broadcasts.

Stone has been assigned as special assistant to George V. Allen, Assistant Secretary of State.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
BING CROSBY JOAN FONTAINE
in "THE EMPEROR WALTZ"
Color by TECHNICOLOR
A Paramount Picture
SPECTACULAR STAGE PRESENTATION

Paramount presents
BETTY HUTTON · MACDONALD CAREY
in "Dream Girl"
A MITCHELL LEISEN PRODUCTION
in Person "HOUR OF CHARM" ALL-GIRL ORCHESTRA Under the Direction of PHIL SPITALNY presenting EVELYN and Her Magic Violin plus SIBYL BOWAN
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

IN PERSON! ED Archie GARDNER AND HIS DUFFY'S TAVERN WITH HIS RADIO GANG
PLUS! MATTY MALNECK & ORCH. featuring HENRY JEROME
EXTRA! IN PERSON! JANE RUSSELL
ON SCREEN! WALLFLOWER ROBERT HUTTON JOYCE REYNOLDS JANIS PAIGE
WARNER BROS. STRAND
OPENS 9:30 AM LATE FILM AT MIDNIGHT
LATE STAGE SHOW 10:15 PM • B'WAY AT 47th

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Henry Kohn Leaves National Screen

Henry H. Kohn, for 22 years associated with National Screen has relinquished his post as supervisor of branch operations.

A nephew of the late Joe Pollack, one of the founders of NSS, Kohn began in the New York service department and after three years was named office manager in Chicago where he remained until appointed national branch supervisor in 1941.

Withdraw Two Films On Pickets' Protest

"Passionelle," French picture, and "Torment," Swedish, branded "indecent" by the National Legion of Decency, were withdrawn over the weekend from the Parthenon in Queens and the Kinema in Brooklyn before completing two-day runs after both houses were picketed in protest by the Catholic War Veterans and church groups.

Morgan a Dinner Guest

Henry Morgan, star of Screen Plays' first production for United Artists, "So This Is New York," will augment the premiere promotion of the film at the Earle Theatre, Philadelphia, Thursday evening, as guest speaker at the Poor Richards Club's annual dinner for the American Markets Association. He is scheduled to make 25 nationwide and local radio and television broadcasts prior to the opening.

RKO to Film Louis Tilt

RKO Pathe will shoot exclusive coverage of the Joe Louis-Jersey Joe Walcott bout tomorrow night. The film will be released at once as a special two-reel subject. Producer will be Jay Bonafield.

Gov. Turner in Film

OKLAHOMA CITY, June 21.—Roy Turner, Governor of Oklahoma, will have a role in "Tulsa," a Walter Wanger production for Eagle-Lion release. Shooting will start on Turner's ranch this week.

Coast to coast and overseas, fly world-proved TWA

One airline, TWA, takes you to principal U. S. cities or to Ireland, Paris, Egypt and other key points in Europe, Africa and Asia. When you go, fly by dependable TWA Skyliner with crews seasoned by millions of trans-world miles.

For reservations, call your TWA office or your travel agent

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Levy Warns

(*Continued from page* 1)

continued litigation of industry disputes, Levy urged distributors to start by eliminating, insofar as they are able, all "litigation potentials."

"There must be a forum in the industry," he said, "preferably one similar to arbitration where exhibitors may go to air their grievances. There is nothing wrong with our system of arbitration that cannot be corrected."

Welcoming address to the some 200 exhibitors on hand was made by Mayor Happy Televast, with Senator Roy Rowe, Burgaw, N. C., exhibitor, responding. Speakers today, in addition to Levy, were Gael Sullivan, new TOA executive director, and H. M. Richey, M-G-M exhibitor relations director.

A board of directors meeting, with president George D. Carpenter of Valdese, N. C., as chairman, was held this evening.

Committees will report on such activities as conciliation, membership, 16mm. films, public activities, legislative actions, rentals, accessories, trailers and television at a closed session tomorrow morning. Following a beach party in the afternoon, the convention banquet will be held tomorrow night.

Para. Seeks Relief For 'Waltz' in Loop

CHICAGO, June 21.—Permission to exhibit "The Emperor Waltz" in the Loop longer than the two-week limit prescribed by the Jackson Park decree was asked by Paramount and B. and K. in a petition filed here today in Judge Michael Igoe's U. S. District Court.

Representing the defendants, attorney Albert Teton told the judge that "Waltz" cost in excess of $4,500,000 and that granting of relief would not create any backlog of product due to an existing product shortage, nor would the relief be contrary to the intention of the decree. Hearings were set for July 2, while Jackson Park attorney Tom McConnell was given until July 1 to prepare his arguments against the petition.

Arbitration Is Backed 100% as Loew Remits

With receipt by American Arbitration Association here yesterday of Loew's monthly assessment check the distributor-defendants in the industry anti-trust suit stand 100 per cent in formal support of the industry's arbitration system.

RKO Radio, Warners, 20th Century-Fox and Paramount made their payments more than a week ago.

NATURALLY
you're going to play
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Third Post - Decision AAA Complaint Filed

Another clearance complaint, the third since the Supreme Court decision in the Paramount, *et al*, case, has been filed with the American Arbitration Association, the AAA office reported here yesterday.

Docketed at the Detroit tribunal, complaint was filed by Callier Enterprises, Inc., operating the Callier Theatre, Belding, Mich. Complainant names all five distributor-defendants, holding that unreasonable clearance was granted to the Silver and Gibson Theatres, Greenville, Mich., causing a wait of 60 to 240 days for product following their showing at the two theatres. New clearance is sought for the competitive area at 30 days after national release.

Shorter Clearance

(*Continued from page* 1)

stumbling block presumably being the Uptown, in Minneapolis, now enjoying a highly profitable 28-day availability at 60 cents top. Observers believe the big Paramount affiliate will join the independents in sidestepping competitive bids, contending the proposed clearance changes are nothing more than a devised plan to bring benefits to distributors.

MGM Invites Two to Bid

Metro's invitation to the Boulevard and Richfield to bid on a number of films have gone unanswered so far, it is learned. Failure of the invited theatres to make a bid leaves the distributor clear to make the film available on almost any basis without running afoul of the Supreme Court edict, it is held.

Maco's rejection of Metro's proposed changes in availability for individual houses, and failure of the Boulevard, Richfield and other designated theatres to offer competitive bids will act only as a temporary delay, it is said, in major distributors' plans to speed up liquidation of films for a more rapid return on the product investment.

See MGM Setting Schedule

Some observers believe the next move by Metro will be a "take it or leave it" availability schedule for designated houses for both Maco and the independents, an action which would likely be paralleled by 20th-Fox and possibly RKO Radio and Warners, as well as by Universal-International, which has long harbored a desire for quicker playoff for its product.

Counter - Order

(*Continued from page* 1)

the mandate and motion should be covered in a single order, rather than in two, as in the case of the Government.

In a memorandum accompanying the defendants' proposed order the request is to be made that, pending further order of the District Court, the tribunal maintain "in full force and effect" those provisions of the judgment which were not appealed from or which, having been appealed, were affirmed by the Supreme Court.

The Government originally submitted a single order to the court. A hearing on it was held on June 14. A new order was prepared when the court denied the Government's application for injunctive proceedings and put off further hearings until a successor to the late Judge John Bright has been named.

B & K Cuts

(*Continued from page* 1)

of relief to the increasing strain on the average pocketbook.

"Since the war years," he said, "the public has shown a preference for evening entertainment. Morning and afternoon attendance, which was substantial before the war, has fallen off. Today, with evening patronage still very healthy, we hope to restore matinee theatre-going.

"Moreover," he continued, "we hope the new reduced prices will bring a boon to the average income now strained by living costs."

It is worth noting, said Balaban, that these new prices differ very little, insofar as net receipts to the theatres are concerned, from the prices prevailing in 1921 when the Chicago Theatre opened. "If we can help start the ball rolling toward general reduction in commodity prices it will be the best investment in our more than 30 years serving Chicago," he concluded.

New matinee scales, effective at the Apollo, Chicago, Garrick, Roosevelt, State-Lake and United Artists, including taxes, are: 50 cents to one P.M., 65 cents to five P.M., weekdays, and 65 cents to three P.M., Saturdays, Sundays and holidays. Former all-day scales were 98 cents in most instances.

Testimonial for Cohen

CLEVELAND, June 21.—A testimonial dinner in honor of Milton E. Cohen will be held Monday, July 12 at the Statler Hotel, with Harry Walders, Lester Zucker and M. B. Horwitz in charge. Occasion is the appointment of Cohen as Eagle-Lion division manager. He resigned as RKO Radio district manager to accept this post.

Merritt Davis, Jr.

ATLANTA, June 21.—Merritt Davis, Jr., son of Merritt Davis, former Southern district manager of Republic and now special sales representative, died at a local hospital after an illness of several months. Davis, Jr., was at one time in the sales department of Republic.

Mrs. Sarah Haas, 84

Mrs. Sarah Haas, 84, mother of Walter Haas of the advertising staff of MOTION PICTURE DAILY, died here Sunday. Services will be held tomorrow at Park West Chambers, with burial at Mt. Hebron Cemetery, Flushing, L. I. Other survivors include the widower and two other sons.

Donald Bayne, 56

Donald Bayne, 56, president and a director of Grand Central Theatre, Inc., which operates a film theatre in Grand Central Terminal here, died on Sunday in the Lawrence Hospital, Bronxville, N. Y., after a long illness.

Dr. Charles E. Herman

PITTSBURGH, June 21.—Dr. Charles E. Herman, physician and theatre operator of Carnegie, Pa., died last Thursday. He was a former president of the Motion Picture Theatre Owners of Western Pennsylvania.

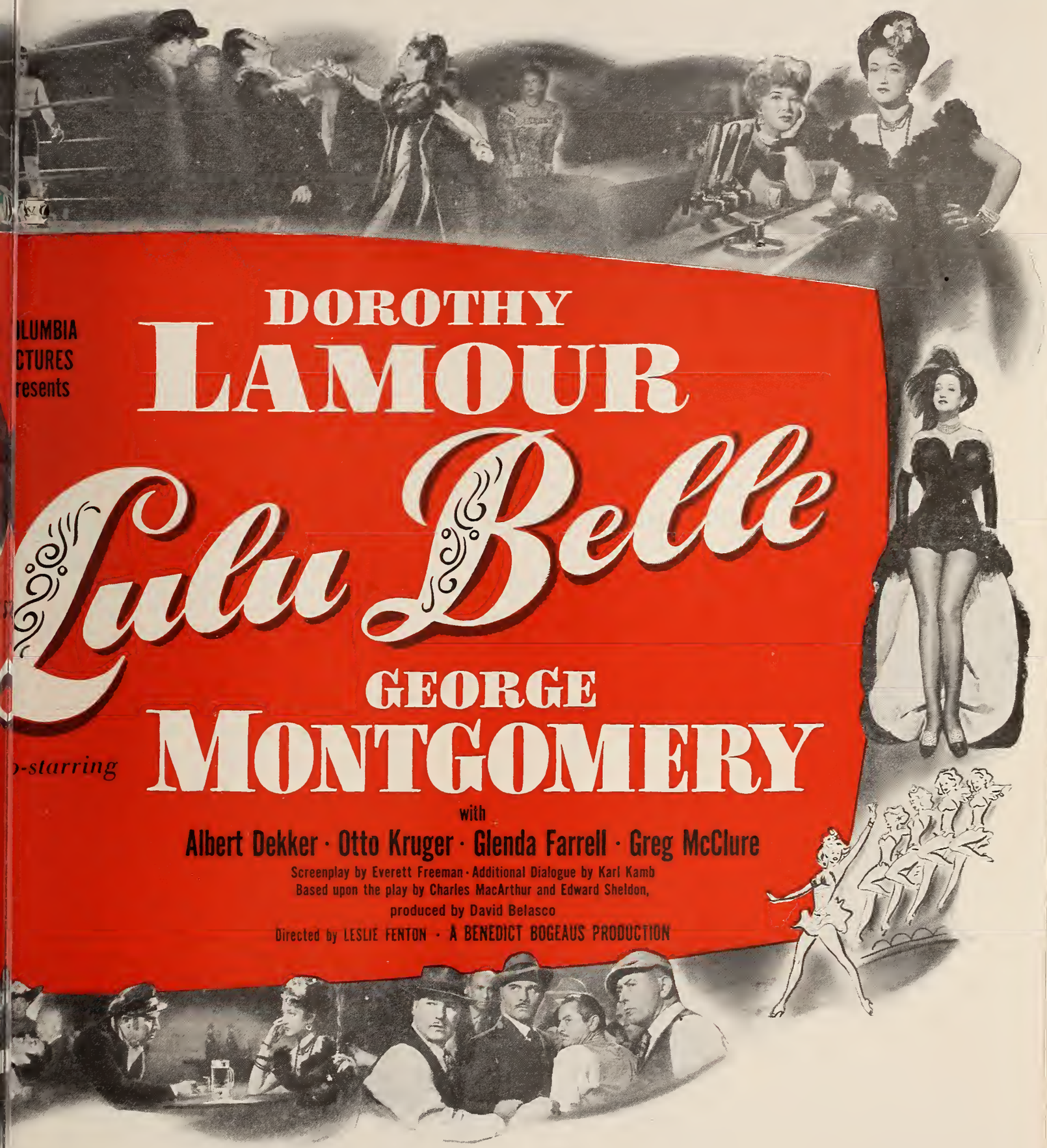
Warner Richmond, 53

HOLLYWOOD, June 21.—Services will be held here tomorrow at Pierce Brothers Chapel for Warner Richmond, 53, actor, who died Saturday following an illness of two years, at the Motion Picture Country Home.

The Scandalous story of a brazen hussy...

as

told with all the lusty, brawlin



usto of a glittering, shocking era!

COLUMBIA PICTURES

Quota Protest

(*Continued from page* 1)

films played in U. K. theatres during the last four years averaged 310 American features annually, against 106 British. His conclusion is that British exhibition could not get along if 45 per cent of its playing time is to be reserved for home product. There "must be other reasons behind" the quota, he observed.

A top State Department official said today that "no one here likes the British action," but added this did not mean there would of necessity be a protest. He said he believes there are ample grounds for holding the British to have violated the spirit of various conventions and treaties but there has been no legal or technical breach. "The British are completely within their rights," he added.

Johnston said he urged prompt State Department action because the quota already has been accepted by the House of Commons and is scheduled for consideration in the House of Lords on Wednesday.

Johnston requested the State Department "to ask the British government to enter negotiations promptly with our Government to reduce drastically or eliminate this quota" entirely.

Company Heads Discuss British Problems Here

Company heads are scheduled to consider further the British market problems at a meeting here today. Indications are that the meeting will be primarily for an exchange of views on further action with respect to the new quota and other British developments preliminary to a meeting of the Motion Picture Export Association board later in the week.

Convertibility Bill

(*Continued from page* 1)

the Economic Cooperation Administration which administers the guaranty program. House-Senate conferees said the funds would cover the 15-month period through June 30, 1949, unless the Administrator and President agreed it was necessary to use them up in a 12-month period. The agreement is considered likely.

The conferees also approved a Far Eastern recovery program which may include similar convertibility guarantees for sending films and printed matter into Japan and Korea.

The original ERP legislation authorized $15,000,000 for the information media guaranty in the first year. The Motion Picture Association of America told the State Department it hoped to get $4,500,000 of the amount.

Holleb Takes a Partner

ZANESVILLE, O., June 21.—Kenneth C. Ray of McConnelsville, state director of education from 1941 to 1945, has joined Lou Holleb in a partnership to operate the newly-conditioned Imperial here. Holleb formerly managed the Majestic at Columbus.

LOUIS vs. WALCOTT
FITE PICTURE VALANCES
SIZE: 10 x 3 FEET.....$9.75
National Flag Company
43 W. 21st ST., NEW YORK, N. Y.
Tel. GRamercy 5-5858

Walsh Will Arbitrate Park Avenue Dispute

IATSE international president Richard F. Walsh, now in Fort Worth, Texas, will be asked by Universal-International and "IA" Moving Picture Machine Operators Local No. 306 to arbitrate the projectionist labor dispute at the Park Avenue Theatre here, U-I vice-president John J. O'Connor reported yesterday. Meanwhile, he said, the company and the local have established a "truce" under which four instead of the usual seven projectionists will be employed at the theatre.

Name Coast 'IA' Unit In Taft Law Action

HOLLYWOOD, June 21.—In the first action here of its kind under the Taft-Hartley law, the National Labor Relations Board has filed unfair labor practice charges against Wilshire Pictures, Inc., and the IATSE Makeup Artists Local No. 706, setting Sept. 7 for hearings. Complaint asserts that Wilshire refused to employ members of the Independent Makeup Artists Guild because IATSE allegedly threatened a work stoppage if it did so.

MPAA Wins 30-Day Stay in SWG Suit

The Motion Picture Association of America and member companies won a 30-day delay in U. S. District Court here yesterday to file answers to the Screen Writers Guild's suit asking for an injunction to stop an alleged conspiracy aganist the hiring by the majors of persons suspected of being subversive.

AAAA Opens Talks On Stronger Union

Conferences looking to the establishment of a more powerful talent union were initiated at the Hotel Roosevelt here yesterday by a committee of the Associated Actors and Artistes of America, parent of all performer unions here. The sessions are scheduled to run through Friday.

Para., 20th Resume

(*Continued from page* 1)

here after two weeks of arguments on technical problems. These continued today, with discussion limited to matters pertaining to advantages of varied height levels of the sites acquired by the applicants and to possible interference with other nearby video stations. Paramount and 20th sites are located at an altitude of 2,374 feet, while those of the other applicants are approximately 1,400 feet.

Representing Paramount before FCC hearing examiner Jack Blume is Karl Smith, of Hogan and Hartson, Washington attorneys. Vincent Welsh of Welsh, Mott and Morgan, Washington, is appearing for 20th Century. Hearings are expected to continue all week.

NBC Sets 5 Video Units

National Broadcasting will have five of its own television stations in operation from Coast to Coast by October, according to Sidney N. Strotz, NBC television vice-president. New York, Washington, Hollywood, Chicago and Cleveland, will be their locations.

Broadway Grosses

(*Continued from page* 1)

all-time non-holiday four-day record for the theatre; a sensational $160,000 is anticipated for the first week, ending tomorrow.

At the Paramount, "Dream Girl" plus Phil Spitalny and his all-girl orchestra on stage opened smartly with a tidy $75,000 due for a first week. Opening in a more moderate vein was "Lulu Belle" which is heading for a $20,000 first week at the Rivoli on the basis of $7,000 taken in on Saturday and Sunday.

Fair grosses are expected elsewhere, as follows: "Arch of Triumph," Globe, ninth week, $15,000; "Melody Time," Astor, fourth week, $25,000; "Time of Your Life," Mayfair, fourth week, $28,000; "Lady from Shanghai," Criterion, second week, $26,500; "Summer Holiday," Loew's State, second week, $17,500; "The Bride Goes Wild," with Woody Herman's band on stage, third and final week, $49,000; "Wallflower," plus Jane Russell and Ed Gardner on stage, second and final week, $44,000; "Citizen Saint," Bijou, fourth week, $4,000; "Bad Sister," Winter Garden, second week, $8,000; "End of the River," Park Avenue, first week, $5,000.

Following are very weak in their final stanzas: "Green Grass of Wyoming," plus Harry Richman on stage, Roxy, second week, $45,000; "Design for Death," Victoria, second week, $10,000.

New pictures will open this week as follows: "Fort Apache," Capitol; "Give My Regards to Broadway," Roxy; "Romance on the High Seas," Strand; "Fighting Father Dunne," Victoria.

Esbaugh Production

Current stage show at the Radio City Music Hall has a three-color screen prologue which was produced especially for the Hall by Ted Esbaugh, New York.

Cheyfitz

(*Continued from page* 1)

technological, including the impact of television and the rising importance of color; financial, combining the curtailment of foreign market revenues and soaring production costs as well as high living costs which indirectly depress domestic theatre attendance; and the third, he said, is legal. He indicated how the industry anti-trust case decision will alter the structure of the industry.

Rumors about extensive foreign production by American companies are ridiculous, Cheyfitz also told the luncheon group. It would be impossible for American producers to make more than 12 films a year in England, while no more than six could be made in other countries, he said.

Cheyfitz, who will return to Washington next weekend, met tonight with studio, guild and union representatives at the Beverly Hills Hotel on plans for establishing an industry council to guide public relations. Dore Schary presided as chairman.

MPAA president Eric Johnston will probably visit Hollywood next month, Cheyfitz revealed.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 121 NEW YORK, U.S.A., WEDNESDAY, JUNE 23, 1948 TEN CENTS

Resume Work On MPF Soon, Richards Says

Tells Miss. TO Trust Suit Suspended Activities

BILOXI, Miss., June 22.—Organizational work for the Motion Picture Foundation "will proceed according to plan within a few months," E. V. Richards, head of Paramount-Richards Theatres and an MPF executive, informed the Mississippi Theatre Owners in a message read by Norman Carter, Paramount-Richards executive vice-president. Some 140 exhibitors are on hand for the convention which opened here yesterday.

Richards, in his message, also

(*Continued on page 6*)

20th-Fox, CBS Hit Para. in Video Row

WASHINGTON, June 22. — Paramount faced a concerted barrage of sharp questioning from 20th Century-Fox and Columbia Broadcasting regarding its announced methods and costs of operating its proposed San Francisco television station, during the second day of FCC hearings on five pending applications for two available video channels there.

Judge Sam Rosenman, CBS counsel, and Vincent Welch, representing

(*Continued on page 6*)

20th - Fox Theatre Video Test Tonight

Twentieth Century- Fox will experiment with large-screen television at the 3,200-seat Fox Theatre in Philadelphia tonight. The show will consist of telecasts of the Joe Louis - Joe Walcott heavyweight championship fight, if it goes on as scheduled, and of Republican convention scenes. The Fox Theatre's regular program will be canceled.

U. S. Weighs Quota Action; London Has No Word Yet

WASHINGTON, June 22.—State Department officials now admit that the British government may soon be told that the U. S. is "concerned" over the new British quota order.

At the same time there was speculation that Secretary of State Marshall might hit the screen quota revision at a press conference he has scheduled for tomorrow.

Department officials still emphasize that action by them would not be a protest in the strict State Department sense. A protest, they explain, requires legal grounds, and they main-

(*Continued on page 6*)

LONDON, June 22.—No protest on Britain's new exhibitor quota was received here today from the U. S. State Department, a check at the American Embassy disclosed. The Board of Trade also said it has no knowledge either of an Embassy or Motion Picture Association of America protest on the quota.

The quota order, accepted by the House of Commons last Thursday, is scheduled for approval by the House of Lords next Monday. The order has been protested by the American industry which asked the State Department

(*Continued on page 6*)

SIMPP Trust Suits Get Board Approval

Trustees of the Society of Independent Motion Picture Producers have approved the preparation of anti-trust suits against a number of circuits and film buying combines around the country, it is learned here.

The action is the result of a study made by Robert J. Rubin, SIMPP counsel, who visited several key Eastern cities early in the spring gathering data on instances of alleged discrimination against independent producers who are members of the organization. These were in the form of the circuits' and combines' alleged arbitrary setting of playing terms and the refusal to book product when the terms were rejected by the independents. It could not be learned here whether the legal actions contemplated will be instituted by the SIMPP itself or by its members individually.

Milton Kramer Heads Selznick Television

Milton A. Kramer is president, Richard S. Greenlee is vice-president-secretary, and Leonard R. Case is treasurer of Selznick Television Corp., recently chartered in Delaware, with offices in New York. The latter two are members of Paine, Kramer and Marx, David O. Selznick's legal advisors here.

Cecil Barker, Selznick assistant, has been in New York City from Hollywood for the past three months in order to make a survey of the television field.

Industry Council Weighed on Coast

HOLLYWOOD, June 22.—Whether the establishment of an industry council to supervise and coordinate public relations is practicable, and how such an institution might function best, were questions canvassed fully but without conclusion last night at a Beverly Hills Hotel meeting attended by 30 representatives of producers, guilds and unions.

Chairman of the meeting was Dore Schary, production executive of RKO Radio. Edward T. Cheyfitz, Motion Picture Association of America executive, represented MPAA president Eric Johnston.

The committee of 30, which has had the project under study for some time, will reconvene here on July 13, at which time it is expected to give further consideration to a plan contem-

(*Continued on page 6*)

Lachman Sets Nine Outlets for Carbon

Carbons, Inc., new projector lamp carbon distribution organization, has established sales in nine cities, Edward Lachman, company president, announced here yesterday following his recent return from Paris where he conferred with executives of LaSociete Carbone-Lorraine, manufacturer of the product. The nine cities are New York, New Orleans, Albany, Syracuse, Buffalo, Chicago, Kansas City, Denver and Los Angeles.

Additionally, Lachman reported, his

(*Continued on page 6*)

Trade Action Vs. U. K. Quota Is Under Study

Company Heads Defer Decisions Until Monday

A course of action on the British film quota increase will be laid down by the U. S. industry at a conference of the executive committee of the Motion Picture Export Association at the Motion Picture Association of America offices here on Monday.

The whole British quota problem was discussed yesterday at a preliminary meeting of the MPEA executive committee. The British situation was aired in its entirety at the meeting, the film agreement ending the *ad valorem* tax dispute being among

(*Continued on page 6*)

Rank to Meet CEA On Terms July 14

LONDON, June 22.—J. Arthur Rank will meet with the Cinematograph Exhibitors Association general council on July 14 to discuss exhibitor opposition to his recently announced booking terms.

The CEA has resolved not to pay more than 50 per cent for any Rank film and has threatened a buyers' strike of his product if an agreement is not reached.

To Ask Ban Only on Griffith Expansion

Washington, June 22.—The Justice Department will probably ask the Oklahoma District Court for an order temporarily restraining the Griffith circuit from acquiring new theatres, and will not ask for a ban on any trade practices, it was indicated here today.

The case will be argued July 1, with Robert L. Wright almost certain to appear for the Government.

S.R.O.'s Mr. Blandings Builds His Dream House opens in RKO circuit TODAY (Albee Theatre, Brooklyn)

Justice Department In Field Expansion

WASHINGTON, June 22.—The Justice Department's anti-trust division is ready to go ahead with ambitious plans for new field offices to investigate complaints and prepare cases, it was learned here today.

The Congress which just adjourned increased the anti-trust section's budget from $2,400,000 to $3,400,000, and one of the chief ways the Department plans to use the extra funds is by opening new branches. There are now seven field offices, in New York, Boston, Chicago, Cleveland, Los Angeles, San Francisco and Portland. Justice officials are discussing new ones for Detroit, Pittsburgh, St. Louis, Miami or Jacksonville, and other Southern and Southwestern cities.

Anti - Censor Council Advances Program

In another move towards the attempted formation of an organization to fight censorship in motion pictures, radio and publishing, it was agreed here yesterday at a meeting at the Hotel Woodstock that interested organizations would send delegates to a future meeting for the purpose of electing a temporary executive committee. This committee would lay the groundwork for a permanent organization to "fight increased threats to freedom of expression."

Yesterday's meeting was under the sponsorship of the National Council on Freedom from Censorship. Chairmen were Elmer Rice and Roger Baldwin. Among those attending were representatives from National Board of Review, Cinemart, Screen Writers Guild, Allied Non-Theatrical Film Association.

NYC Censorship Bill Back to Committee

New York Councilman Edward A. Cunningham's bill to extend censorship powers of the City License Department over film and stage performances and advertising relating to them was recommitted to the Council's general welfare committee during yesterday's Council session.

The bill, which has been the target of intense opposition from exhibitor and stage interests here, is not expected to be given a public hearing, a Council spokesman said last night. "It is now a dead issue," he said, adding that "reporting it back to committee is the best way to bury it."

Beattie To Manage For SRO in Albany

ALBANY, N. Y., June 22.—Schuyler Beattie, Selznick Releasing Organization sales representative, has been named manager of the company's new branch here. Ruth Larkin, formerly with the local Paramount exchange, has been named SRO office manager.

The company will start servicing this territory directly on Monday, using the physical facilities of Clark Film Distributors. Company has been servicing Albany out of Boston.

Personal Mention

LOUIS B. MAYER, M-G-M production head, is due here tomorrow from Hollywood.

•

ROBERT J. WEITMAN, managing director of the Paramount Theatre here, will leave New York tomorrow for Chicago.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, will be in Philadelphia today from New York.

•

ED HINCHY, Warner home office playdate department head, is due back in New York tomorrow from Washington.

•

WILLIAM F. RODGERS, M-G-M distribution vice-president, cancelled a trip to Boston yesterday because of illness.

•

ROBERT BENJAMIN, president of the J. Arthur Rank Organization of the U. S., will leave here tonight for Hollywood.

•

MARVIN SCHENCK, Eastern representative for M-G-M studios, has returned to New York from the Coast.

•

BILLY WILDER arrived in New York yesterday from Europe.

HARRY M. KALMINE, Warner theatres president, left here yesterday for Chicago and Milwaukee.

•

RICHARD H. MANSFIELD has resigned as Chase Bank vice-president, to become chairman of the finance committee of Rockefeller Center, Inc.

•

DORE SCHARY, RKO Radio production head, and PERRY LEIBER, studio publicity chief, are due here Sunday from Hollywood.

•

ANDY GOLD, Warner Pathe News cameraman, and MRS. GOLD have become parents of a daughter, their second child.

•

KARL HOBLITZELLE, head of Interstate Circuit, is scheduled to leave Dallas early next month for an extended vacation in Honolulu.

•

SAM MARX, M-G-M production executive, is due back in Hollywood this week from New York.

•

WILLIAM R. FERGUSON, M-G-M exploitation head, returned here yesterday from Ogunquit, Me.

•

SI FABIAN, Fabian circuit head, is in Boston from New York.

Fifth - Walnut Trial Wind-up Due Friday

Presentation of testimony is expected to end on Friday in the trial in U. S. District Court here of Fifth and Walnut Amusement's $2,100,000 anti-trust action against distributors, attorneys in the case indicated yesterday. Summing up by both sides is likely to take place on Monday with Federal Judge Vincent L. Leibel's charge to the jury to follow on Tuesday.

Robert Mochrie, RKO Radio distribution vice-president, was a defense witness yesterday. A. Montague, Columbia's general sales manager, is scheduled to testify today.

Mono. Abandons Plan For N. Y. 'Showcase'

Monogram-Allied Artists has abandoned plans to secure a New York "showcase," president Steve Broidy said here yesterday, indicating that the company no longer sees advantages in making such acquisition.

Broidy, who has arrived from Hollywood in connection with the setting of distribution arrangements for "The Babe Ruth Story," reported that AA has slated 13 for production within the next year while Monogram will make 48, of which 16 will be Westerns.

Miss Bergson Services

Funeral services for Lillian Bergson, booker at the Paramount exchange here, were held yesterday at Hellman Funeral Parlor. Miss Bergson, who had been employed at the exchange for 25 years, died Saturday at the Will Rogers Memorial Hospital at Saranac Lake.

Rule Wage Rate for Women and Minors

LOUISVILLE, June 22.—Women and minor employes of theatres in Kentucky are to be paid "the minimum fair-wage rates" established in a mandatory order issued May 27, 1947, by the Commissioner of Industrial Relations of the Commonwealth of Kentucky, it has been ruled by Commissioner Burton. The order is retroactive to April 7, 1948, and must be complied with by July 1, 1948. The ruling was made after a question of interpretation of the order had arisen among exhibitors.

Copies of the order have been mailed by the Kentucky Association of Theatre Owners to its members.

'Flying Doctor' in Films

A feature version of the "Flying Doctor" of Australia will be produced by Paul White Productions, of which Paul White is president. Negotiations for the semi-documentary production were completed this week with the New York arrival of "Flying Doctor" John Grieve Woods, who will be featured in the film. His hospital air base is at Broken Hill, Australia, where the picture will be filmed.

Oregon Theatre Burns

PORTLAND, Ore., June 22.—The Hiway Theatre has been destroyed by fire, at a loss of $100,000, only partially covered by insurance.

Tax - Free Bill Signed

WASHINGTON, June 22.—President Truman has signed legislation making tax-free tickets given to hospitalized veterans or hospitalized servicemen.

Newsreel Parade

THE Republicans' Convention in Philadelphia is featured in all current newsreels, with three of the reels devoting all footage to the event. Complete contents follow:

MOVIETONE NEWS, No. 50—GOP meets to nominate candidates for President and Vice-President. Sports. "Splashketball." Rodeo.

NEWS OF THE DAY, No. 284—Complete film story of GOP drama in Philadelphia.

PARAMOUNT NEWS, No. 87—Republican convention.

UNIVERSAL NEWS, No. 154—GOP leaders meet to pick candidates.

WARNER PATHE NEWS, No. 89—Republican convention opens. UN guards fly to Palestine. Airplane crash kills 43. Miss Press Photographer.

U. A. Managers Are Meeting in Chicago

CHICAGO, June 22.—A two-day United Artists sales meeting of branch managers from the Midwest and Prairie districts got under way here today. Presiding are J. J. Unger, general sales manager; M. B. Orr, Western sales manager, whose resignation from the company becomes effective on July 1, and Ralph Cramblett, Midwest district manager.

Sales policies on "The Time of Your Life" and "On Our Merry Way" will be discussed.

Attending branch managers are Ed Stoller, Elmer Donnelly, D. V. McLucas, William Truog, Robert Allen, Bernard Mariner and Nat Nathanson.

Levine Will Produce For FC Distribution

SAN FRANCISCO, June 22.—Irving M. Levin, divisional director of San Francisco Theatres, Inc., enters production with M.R.S. Pictures, Inc., independent group which has signed with Simon and Schuster, publishers, for screen rights to Inner Sanctum mysteries. Release will be through Film Classics with the contract calling for three a year.

Others in the company include Richard B. Morros, son of Boris Morros; Walter Shenson, former Columbia studio art director, and Samuel Rheiner, production head of Federal Films. The company is located on the Hal Roach lot.

Woods and Oriental Will Not Cut Prices

CHICAGO, June 22.—The Woods and Oriental theatres in the Loop will not reduce admissions, it was announced here today by Edwin Silverman, president of the Essaness Circuit, who said the theatres will continue with a 98-cent admission at all times which includes state and Federal taxes.

This was disclosed by Silverman after the announcement Monday that Balaban and Katz will reduce morning and afternoon prices from 98 cents to 50 cents and 65 cents, respectively, up to five o'clock, including Saturdays and Sundays.

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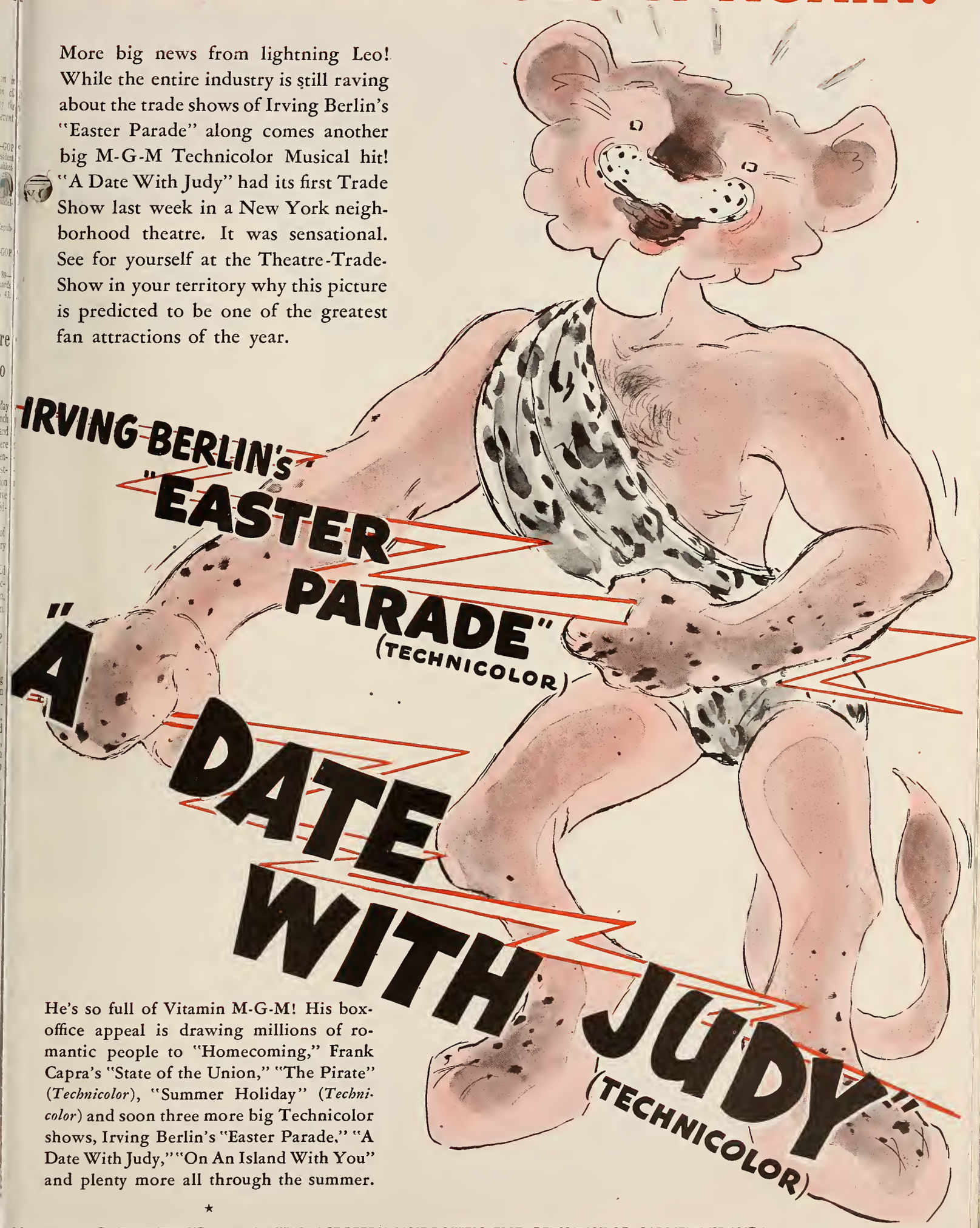
NATURE BOY DOES IT AGAIN!

More big news from lightning Leo! While the entire industry is still raving about the trade shows of Irving Berlin's "Easter Parade" along comes another big M-G-M Technicolor Musical hit! "A Date With Judy" had its first Trade Show last week in a New York neighborhood theatre. It was sensational. See for yourself at the Theatre-Trade-Show in your territory why this picture is predicted to be one of the greatest fan attractions of the year.



He's so full of Vitamin M-G-M! His box-office appeal is drawing millions of romantic people to "Homecoming," Frank Capra's "State of the Union," "The Pirate" (*Technicolor*), "Summer Holiday" (*Technicolor*) and soon three more big Technicolor shows, Irving Berlin's "Easter Parade," "A Date With Judy," "On An Island With You" and plenty more all through the summer.

★

-M presents "A DATE WITH JUDY" starring WALLACE BEERY, JANE POWELL, ELIZABETH TAYLOR, CARMEN MIRANDA, /IER CUGAT and his Orchestra, ROBERT STACK • Color by TECHNICOLOR • Screen Play by Dorothy Cooper and Dorothy gsley • Based on the Characters Created by Aleen Leslie • Directed by RICHARD THORPE • Produced by JOE PASTERNAK.

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and ADELE MA

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An audience of more than 60,
search for "Miss Jane Doe" in

Mary Ruth Wade of Lake Charles, La., selected from 15,000 entries. She will soon be seen in Republic's "The Plunderers."

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Screen Play by LAWRENCE KIMBLE Adaptation by DECLA DUNNING
Associate Producer-Director—JOHN H. AUER

Para. Video Row

(*Continued from page* 1)

20th-Fox, attempted to tear down Paramount's exhibit of construction and operating costs, personnel requirements and programming schedules in an all-day cross examination of Klaus Landsberg, manager of KTLA, Paramount's Los Angeles television outlet.

Paramount Data Revised

The Paramount statistics had been revised considerably since Coast hearings last month. Especially singled out by Rosenman for criticism was the claim that the new station would be able to make use of Paramount Pictures' stars, directors, booking service, "props," story properties, newsreel, and other films, with the parent organization absorbing part of the expense.

Rosenman's questioning brought out the admission from Landsberg that, with few exceptions, no Paramount talent had been featured on regular KTLA programs since the station went on a commercial basis in January, 1947.

Contest Company's Assertions

Both Welch and Rosenman questioned Paramount's cost and personnel figures, attempting to disprove the contentions that a 50-hour operating week, most ambitious of any of the applicants, could be accomplished within the estimated range. Newest Paramount figures estimated construction costs at $493,000. At San Francisco these figures had been estimated at $421,000. Annual operating costs were revised upward from $570,000 to $600,000.

WPIX Gets 22 More Features, 60 Shorts

Station WPIX, *New York Daily News* television outlet, has signed with Regal Television for one-year video exhibition rights in New York to 15 United Artists features and 44 short subjects. It has also secured seven Laurel and Hardy features and 16 other shorts. The station also has exclusive U. S. rights to 24 Alexander Korda features.

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Review

"The Street with No Name"

(*20th Century-Fox*)

THE technique of documentary-styled drama receives one of its finest treatments in "The Street with No Name." An FBI tale about the tracking down of a gang of thugs, it moves with a steady, accelerated pace, never once falling back on the ancient cliches for melodramatic effect. The production is presented as one of 20th-Fox's answer to exhibitors who contend that what the industry needs is better product. It should gross a lot, a large part of the exhibitor's exploitation job being accomplished by word-of-mouth recommendation which the picture should receive.

The high-powered story is a good one, strikingly played by Mark Stevens, Richard Widmark, Lloyd Nolan, Barbara Lawrence and John McIntire, among others. After a series of killings that appear to emanate from the same source, Stevens, an FBI agent, is assigned to the case. In time he mixes with the suspected thugs and eventually is taken into the gang.

An outstanding aspect of the production is its quality of authenticity that William Keighley's direction and Harry Kleiner's original have created. By the time the FBI moves in for the kill, a most engrossing series of adventures have run their course. Stevens is extremely competent and winning in his role which frequently calls on him to use his fists as well as his wits. The same applies to McIntire, another agent. As the gangland mastermind, Widmark offers an unforgettable vignette, crawling in and out of scenes like a malevolent insect. A capable bit is turned in by Miss Lawrence as Widmark's punishment-taking wife. Bouquets can be offered in all departments of Samuel G. Engel's production.

Running time, 91 minutes. General audience classification. For July release.

MANDEL HERBSTMAN

Action vs. Quota

(*Continued from page* 1)

the other subjects considered. These problems as well as the quota are expected to be acted upon on Monday.

Lack Support for New Embargo

It was reported that yesterday's meeting heard some talk of imposing a new embargo on American film shipments to Britain, but that solid support for the suggestion was lacking. It was also reported that some sentiment favored throwing the ball back to Britain with an American proposal that the quota be made 100 per cent, whereas others present appeared to favor joining hands with the Cinematograph Exhibitors Association in Britain, which is equally opposed to the new 45 per cent quota order and has sought a meeting with Harold Wilson, president of the British Board of Trade, to protest its adoption.

Indications are that a considered plan of action will be drawn up within the next few days and submitted to Monday's meeting for adoption.

No Plan for Johnston Trip

As of now, Johnston has no plans to return to England for further discussions on the British situation, it was said following yesterday's meeting.

Johnston presided at the meeting. Among others present were Spyros P. Skouras, W. C. Michel, S. S. Broidy, Norton V. Ritchey, Nicholas M. Schenck, Joseph R. Vogel, J. J. O'Connor, Joseph Seidelman, Jack Cohn, A. Schneider, Ned Depinet, Theodore Black, Gradwell Sears, Barney Balaban, Albert Warner and James Mulvey, who represented the Society of Independent Motion Picture Producers.

Industry Council

(*Continued from page* 1)

plating the establishment of a council headquarters here with officers and a board representing all phases of the industry, in charge of a permanent secretary. Cheyfitz denies that he had been asked to take charge and devote full time to the proposed council. Cheyfitz will leave here for the East at the weekend, returning for the July 13 meeting.

U. S. Weighs

(*Continued from page* 1)

tain that the British have acted within their legal rights. But they do now admit that there is a violation of the spirit of recent trade negotiations, and hence the notice that we are "concerned."

Motion Picture Association president Eric Johnston's request that the Department ask the British to enter into negotiations for reviewing their action is not headed for any equally speedy action, however, the Department spokesmen say. "The State Department does not ask other governments to enter into negotiations overnight," one official declared. "That's a step that takes a lot of preliminary discussion."

London Has

(*Continued from page* 1)

in Washington to intervene on the grounds that the order violates existing trade agreements between the U. S. and Britain. The State Department also was asked to request the British government to negotiate reduction or elimination of the new quota.

Although Harold Wilson, Board of Trade president, is away from London now, the Cinematograph Exhibitors Association, which also is bitterly opposed to the new quota, still is hopeful that Wilson will receive a CEA delegation to discuss the matter with him before action is taken by the House of Lords.

Main Heads Ontario Exhibitors Group

TORONTO, June 22.—Dick Main, owner of two rural theatres, is the new president of the Motion Picture Theatres Association of Ontario, succeeding Clare J. Appel of Toronto, Eastern general manager of Odeon Theatres of Canada, who has resigned. Roy Miller, manager of a St. Catherines, Ont., circuit, replaces Main as vice-president.

Italian Film to 20th-Fox

Twentieth Century-Fox will distribute "Don Giovanni," produced in Italy by Pegoraro Productions.

U-I Sets 4 July World Premieres

Universal-International has set four world premieres for next month. The pictures are "Man-Eater of Kumaon," which will bow at the Winter Garden here on July 1; "Feudin', Fussin' and A-Fightin'," at Tri-States circuit theatres in Omaha and Des Moines, July 8; "Tap Roots," at the Goldman Theatre in Philadelphia and six additional cities in that territory, July 14; "Mr. Peabody and the Mermaid," at the Hollywood, Atlantic City, July 28.

Lachman Sets Nine

(*Continued from page* 1)

company has set up home offices in New York and in Boonton, N. J. The latter location includes a plant where batteries and other carbon products are to be manufactured under French patent rights.

New Jersey Allied to Get New President; Lachman Won't Run

Allied of New Jersey will soon have a new president. Edward Lachman, head of the organization, disclosed here yesterday that he will not be a candidate for reelection at the organization's annual convention, June 28-30, at the Hollywood Hotel, West End, N. J.

Lachman gave as his reason for declining to run the fact that he has engaged in the U. S. distribution of French projector lamp carbon.

Convention chairman Wilbur Snaper said yesterday that the principal topic of the three-day meeting will be high costs and diminishing profits. Paul Raibourn, Paramount Television Productions president, will be a speaker, Snaper reported.

MPF Resuming

(*Continued from page* 1)

pointed out that organizational activities have been "suspended temporarily in deference to exigencies created by the Supreme Court case" involving the industry.

Robert Coyne, Theatre Owners of America retiring executive director, paid tribute in his address "to the progressive Southern exhibitors who were not content with the *status quo*" and "who had been largely instrumental in the creation of TOA." He cited instances of exhibitor progress in such matters as Ascap, 16mm. competition and also discussed the role of exhibitors in relation to television.

State Senator John Farese also addressed the convention. Max Connett of Newton presided.

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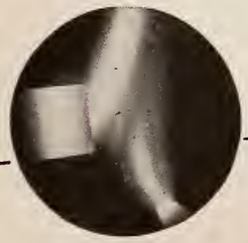

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"To repeat box-office performance scored by T-Men!" — MOTION PICTURE DAILY

"Solid box office...across-the-board customer appeal!" — Variety

"If action's what audience wants, they'll get it here!" — Film Daily

"Will pay off largely at box-office! Follows T-Men!" — Daily Variety

"Hits hard...strong woman's angle!" — M. P. Herald

"A solid item ...Should keep all audiences in a state of excitement!" — Independent

"Good music to any exhibitor's ears!" — Showmen's

"Should clean up! Names will insure good business!" — Boxoffice

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 122 NEW YORK, U.S.A., THURSDAY, JUNE 24, 1948 TEN CENTS

Phila. Court Halts Free Video Pickup

Restrainer on Places Charging Admissions

Unauthorized reproductions of television programs in theatres were declared illegal by a Philadelphia Common Pleas Court yesterday in a ruling characterized in video circles as vastly significant in that it could well point the way to a more authoritative decision.

Almost simultaneously, announcement was made of the postponement to tonight of the Louis-Walcott bout which prompted the legal contest, a Philadelphia exhibitor having openly planned to present a large-screen video account of the event as part of his theatre program. National Broadcasting, Philco Corp., Gillette Safety Razor Co. and others asked for and received the order restraining the theatreman, Henry Friedman, operator of the Lawndale, from following through with his plan. The Lanbar Hotel also was a defendant.

Said to be the first court interpreta-

(*Continued on page 7*)

Orders on Decision To District Court

Two Government orders on the U. S. Supreme Court's decision in the Paramount anti-trust case were presented to Judges Augustus N. Hand and Henry W. Goddard in District Court here yesterday for their approval. The orders replace the original order on which argument was heard before the two jurists on June 14, when the court directed that changes be made in the document. One covers the Supreme Court's mandate;

(*Continued on page 2*)

Deny Adelman Move In Anti-Trust Suit

WILMINGTON, June 23.—U. S. District Court Justice Richard S. Rodney has denied the motion of I. B. Adelman, operator of the Delman Theatre in Dallas and Houston, for a judgment by default, in the anti-trust suit against the majors and Interstate Circuit and Texas Consolidated Theatres. Triple damages of more than $3,000,000 are sought in civil

(*Continued on page 2*)

Broadway Grosses Rise 25 Per Cent

Business at key first-runs on Broadway Tuesday and yesterday were described as being 20 to 25 per cent better than during the past several weeks. Chief factor in favor of higher grosses was the influx for the postponed Louis-Walcott championship bout scheduled for last night.

Connett Criticizes Exhibitor 'Slackers'

BILOXI, Miss., June 23.—Exhibitors who "are always ready to complain and are never available to help in the solution of industry problems" were castigated by Max Connett of Newton, before 140 theatre owners present at the convention here of the Motion Picture Theatre Owners of Mississippi. Connett presided at the two-day meeting, which ended last night.

"The same few carry the ball every year," he stated, "while the many give lip service in bemoaning the ills and give no service in seeking the cures."

State Senator John Farese pointed out to the exhibitor delegates that state and national legislatures cannot act intelligently in a vacuum of information when considering new legislation. "It is incumbent on individuals and industries to provide honest information and argument bearing upon the issues being considered," he added.

Connett was reelected president of the exhibitors' organization, with E. W. Clinton as secretary and treasurer. W. S. Taylor of Laurel, Dwight Blissard of Okolona, and B. V. Sheffield of Poplarville were elected vice-presidents.

Classics Sets 34 New Films for 1949, Against 10 in 1948

Film Classics has scheduled 34 new features for 1948-49, against about 10 new ones this season, and will have only eight or 10 reissues next year, against 12 in the current year, B. G. Kranze, distribution vice-president, disclosed here yesterday.

Of the 34 new ones, 17 will be in Cinecolor. A 12-chapter serial, "Silver King," will also be in Cinecolor. Two of the reissues will be Sir Alexander Korda's "Drums" and "Four Feathers," both in Technicolor.

The new productions will include: "Sofia," produced by Robert R. Presnell, Sr., and John Reinhardt, directed by Reinhardt, with a cast headed by Gene Raymond, Sigrid Gurie, Patricia Morison and Mischa Auer; "Miraculous Journey," produced by Sigmund

(*Continued on page 6*)

RKO Loop Houses Will Cut Prices

RKO's Grand and Palace in Chicago's Loop are understood to be preparing to reduce morning prices from 67 cents to 50, effective June 30, in line with admission price cuts announced earlier this week by Balaban and Katz for their Loop theatres in Chicago.

The new RKO schedule, which will prevail for weekends also, will hold until one P.M., but will remain at 67 cents until five P.M., and 98 cents for evenings.

Business has dropped at B. & K. and RKO Chicago Loop theatres because of the two-week limitation in playing time under the Jackson Park decree, causing both circuits to cut matinee prices.

"Tap Roots"

[*Wanger-Universal-International*] — **Big Show, Big-Scale**

IT cost a lot of money, but "Tap Roots" looks it. Production values and Technicolor-embellishments provide substantial and impressive backdrops for an interesting story of the Civil War, aided by a collection of very good performances. The result: A big show handled in a big way by producer Walter Wanger and director George Marshall, "Tap Roots" looks like one for the money, and plenty of it.

It is quite safe to observe that this attraction is one of the most ambitious attempted in any quarter since the fabulous "Gone with the Wind," which it resembles in some respects. The period is identical. The locale is the South. The Vivien Leigh of "Tap Roots" is Susan Hayward, and just about as wilful and flirtatious. The Rhett Butler is Van Heflin, who is approximately as despicable. They furnish the warm-to-sizzling sides of a romantic triangle which includes Whitfield Connor as the original soldier-suitor.

The film, based on a novel by James Street and a screenplay by Alan Le May, claims a historical base. It tells the story of the Dabney family which appropriated Lebanon Valley in Mississippi and determines to set

(*Continued on page 6*)

State Dep't. 'Concern' Over Quota Voiced

Withholds Any 'Protest', Pending Embassy Report

WASHINGTON, June 23. — The State Department has instructed the U. S. Embassy in London to express "our concern" to the British government over the 45 per cent British exhibition quota and "to get full and accurate information" on the subject.

This was announced today at a press conference by Under-Secretary of State Robert A. Lovett, pinch-hitting for Secretary Marshall, who was unable to attend.

Lovett emphasized that this was not an official protest.

"We would like all the facts before making a formal protest or starting formal negotiations," he declared.

The implications were that the State Department will not take the word of anyone outside the Department on a matter of such importance.

Asked what the Department would do if the facts bore out Eric Johnston's statement, the Under-Secretary said the Department "would take up

(*Continued on page 2*)

FCC Rejects Warner Video Hearing Bid

WASHINGTON, June 23.—The Federal Communications Commission today turned down Warner Brothers' request to appear at hearings next week on reallocation of television channels among major cities and to protest plans to cut Chicago from seven to six channels. Reason given was that the Warner application was received after the deadline and did not

(*Continued on page 7*)

Public Shopping for New Faces: Popkin

It takes more than star names and faces that have been on the screens for the last 15 or 20 years to induce customers to buy theatre tickets today, Harry Popkin, California circuit owner and independent producer releasing through United Artists, said here yesterday.

Popkin is in New York to shoot extensive exteriors here for "Impact,"

(*Continued on page 2*)

Personal Mention

ERIC JOHNSTON, Motion Picture Association of America president, was a visitor at the Republican National convention in Philadelphia yesterday.

•

SPYROS P. SKOURAS, president of 20th Century-Fox; CHARLES SCHLAIFER, advertising-publicity director, and other company home office executives will leave New York for the Coast over the weekend.

•

JACK NEEDHAM, former 20th Century-Fox salesman, has been named booker-buyer of the Orpheum and Majestic theatres, Nelsonville, O., which are owned by MRS. FRANCES STEENROD.

•

FLO BROWNE GRIPPO, Hollywood literary agent and wife of Monogram producer JAN GRIPPO, is here from the Coast.

•

THOMAS BENGE, with Redwood Theatres, California, for 15 years, is the recipient of $750 cash and a watch for his service anniversary.

•

JOHN RUBACH, recently a United Artists salesman in Albany, N. Y., has been appointed Universal-International salesman in that city.

•

GRADWELL SEARS, United Artists president, will return to his desk here Monday following a checkup at New York Hospital.

•

SID BLUMENSTOCK, 20th Century-Fox assistant exploitation manager, was in Washington yesterday from New York.

•

LEO JAFFE, Columbia assistant treasurer, was married yesterday in Elkton, Md., to TERI GOLD.

•

HOWARD DIETZ, Loew vice-president, will return here today from the Coast.

•

GEORGE A. HICKEY, M-G-M Western sales manager, will leave here Tuesday for Los Angeles.

•

H. M. RICHEY, M-G-M exhibitor relations head, is due back in New York today from Myrtle Beach, S. C.

•

CARROLL PUCIATO, Realart sales executive, has returned to New York from Denver and Salt Lake City.

•

DAVID HORNE, Film Classics foreign sales manager, is en route to London from Rio de Janeiro.

•

FRANK SIMETZ of the 20th Century-Fox press book department here, has been married to ESTELLE BECKER.

•

MRS. ANN CARNAHAN has joined World Video, Inc., here as program producer.

•

GARY COOPER is in town from the Coast.

MPEA Is Ruled Out of Hungary

WASHINGTON, June 23.—Hungary will open its screens only to "progressive" films, and will not "permit the Motion Picture Export Association to reign over the screens of Budapest's theatres," Hungary's president told a press conference, according to the U. S. Commerce Department.

The Department said that the President declared he "expected discontinuation of private film commerce to take place soon in Hungary," and that the Film Office would take over all film activities and prevent the showing of "reactionary" films.

Another behind-the-iron-curtain development reported by the department is a conference of Polish and Czech film representatives, at which a committee for the exchange of film experience between the two countries was set up.

GB-Odeon Companies Approve Pooling

LONDON, June 23.—Twenty companies within the Gaumont-British-Odeon circuit groups overwhelmingly approved at meetings here today the Circuit Management Association pooling arrangement set up by J. Arthur Rank.

Rank, who owns controlling interests in GB and Odeon, is chairman of CMA. Some 564 theatres are represented by the 20 companies.

State Dept.

(*Continued from page* 1)

the matter more formally if the facts warrant it." He said that in the past, the Department has not used any hard and fast standards for deciding whether actions of a foreign government should be protested but rather "a rule of reason."

Lovett indicated that he did not know whether the London Embassy had already delivered our message, nor when further developments might be expected.

Johnston, at the direction of the Motion Picture Export Association board, had asked the State Department to protest the new British quota and to ask the British government to negotiate a reduction or elimination of the quota. The industry contends that the quota violates existing trade agreements between the U. S. and Britain.

MOTION PICTURE DAILY forecast yesterday that the State Department was unlikely to do more than express its "concern" at this stage of the situation.

Selznick Office in Mexico Opens Today

Selznick Releasing Organization's sales outlet will be opened today in Mexico City, it was announced here yesterday by SRO president Neil Agnew. At the same time, the Mexico City premiere of "The Paradine Case" is set for today at the new Cosmos Theatre as a benefit for the Mexican Tuberculosis Fund.

'London Times' Hits U. S. Quota Protest

LONDON, June 23.—It never has been very clear to the *London Times* why the Anglo-American film agreement was made with the Motion Picture Association of America and not the U. S. Government, that paper editorialized today. Terms of the MPAA protest to the new British film quota, the *Times* said, shows that British film policy and the facts behind it are not understood in America.

Continued the editorial: The new quota is part of the British government's answer to the risk taken under the agreement. MPAA president Eric A. Johnston cannot expect Britain to shoulder unlimited future dollar liability at the pleasure of American films or forego its intention of redressing the balance in favor of British producers.

SAG, Majors Start Pact Negotiations

HOLLYWOOD, June 23. — With the creation of a subcommittee to seek a solution to the television proposals sought by the Screen Actors Guild, representatives of major producers and the actors' guild, who last night resumed contract negotiations broken off early in April, have settled down to the business of drawing up a pact to replace the one which will expire at the end of July. An announcement today, issued jointly by the two parties, failed to mention the reissue clause, which was one of the seven key issues mentioned by SAG.

The negotiating committees agreed to meet each Thursday and Tuesday morning from now on, and the television subcommittee will meet on Thursdays.

Allege Infringement By Fabian Drive-ins

WILMINGTON, Del., June 23.—A treble-damage action charging patent infringement has been filed in U. S. District Court here by Park-In Theatres, Inc., of Camden, against Fabian Securities, Inc., and its subsidiary Fabian Enterprises, Inc. It is the third suit to be filed here by the plaintiff in its attempt to establish the exclusive nature of its rights to drive-in theatre construction and licensing over alleged infringement of the Hollingshead patent assigned to Park-In in 1933.

Decision Orders

(*Continued from page* 1)

the other, the Department of Justice's motion for injunctive proceedings.

Also submitted to the court yesterday for its consideration was a proposed counter-order by the defendants, who are protesting the wording of the Government's order bearing on a motion for injunctive proceedings and who ask that the Department of Justice limit itself to a single order.

Set SPG-Loew Hearings

American Arbitration Association has set July 8-9 for hearing dates in the wage dispute between the Screen Publicists Guild and Loew's.

Public Shopping

(*Continued from page* 1)

second of 10 pictures which he is scheduled to deliver to U. A. in the next three years. "My Dear Secretary," his first under the deal, will be released soon.

Speaking as a circuit operator, Popkin reported that theatre business around his Southern California territory is off about 25 per cent. He related that good pictures still pull business, but that star names no longer assure a profitable picture. The public is looking for new faces and substantial stories, he believes.

Popkin said financing for established independent producers still is available, but that banks have tightened their reins, with the result that "promoters" have been virtually eliminated from the independent production field. He said U. A. stands as the guaranty of continued independent production and deserves the support of the industry, as well as of leading independent producers, in the vital role it plays.

"Give U. A. the pictures and it will do the job," he said.

'Look What We Did,' Says Justice Dept.

WASHINGTON, June 23.—The Justice Department is still blowing its horn over its victory in the Paramount and other film trust cases.

Attorney General Tom Clark today issued a general press release citing the "unusual success" of the Department in pushing cases before the Supreme Court this term.

"The Department of Justice was successful in more important anti-trust cases in the Supreme Court than during any other term," the release said, adding: "One of the most important anti-trust victories was that against the major motion picture producers, distributors and exhibitors, known as the Paramount case, which was personally argued by the Attorney General. Other Government victories included the Schine and Griffith motion picture cases."

Deny Adelman Move

(*Continued from page* 1)

actions under Adelman's own name and that of Tivoli Realty, Inc., of which he is president.

The plaintiff charged that the defendants had not moved or pleaded with respect to the original complaint within the time allotted by the court, but Judge Rodney upheld the defendants in their contention that their motion to strike out portions of the original complaint negated any default motion. A hearing in which both cases were consolidated has been concluded. The court has taken the motion to strike under advisement.

4 New Trans-Lux Firms

ALBANY, N. Y., June 23.—Advancing Trans-Lux Theatre Corp.'s recently-announced circuit expansion, certificates of incorporations have been registered here with the office of the Secretary of State for Trans-Lux Colony Corp., Trans-Lux Monroe Corp., Trans-Lux Grenada Corp., Trans-Lux Crest Corp. Stock valuation of each is

MOTION PICTURE DAILY, Martin Quigley, Editor-in-Chief and Publisher; Sherwin Kane, Editor; Martin Quigley, Jr., Associate Editor. Published daily, except Saturdays, Sundays and holidays, by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York 20, N. Y. Telephone CIrcle 7-3100. Cable address: "Quigpubco, New York." Martin Quigley, President; Red Kann, Vice-President; Martin Quigley, Jr., Vice-President; Theo J. Sullivan, Vice-President and Treasurer; Leo J. Brady, Secretary; James P. Cunningham, News Editor; Herbert V. Fecke, Advertising Manager; Gus H. Fausel, Production Manager; David Harris, Circulation Director; Hollywood Bureau, Yucca-Vine Building, William R. Weaver, Editor; Chicago Bureau, 120 South La Salle Street, Editorial and Advertising. Urben Farley, Advertising Representative; Jimmy Ascher, Editorial Representative. Washington, J. A. Otten, National Press Club, Washington, D. C. London Bureau, 4 Golden Sq., London W1. Hope Burnup, Manager, Peter Burnup, Editor; cable address, "Quigpubco, London." Other Quigley Publications: Motion Picture Herald, Better Theatres, published every fourth week as a section of Motion Picture Herald; Theatre Sales; International Motion Picture Almanac, Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year, $6 in the Americas and $12 foreign; single copies, 10c.

HUMPHREY BOGART · EDWARD G. ROBINSON · LAUREN BACALL

A CAST AS EXPLOSIVE AS ITS STORY!

KEY LARGO

INDUSTRY EVENT:

WARNER BROS.

TRADE SHOW JULY 6TH!

WITH

LIONEL BARRYMORE · CLAIRE TREVOR

AND

THOMAS GOMEZ · JOHN RODNEY · DIRECTED BY JOHN HUSTON · PRODUCED BY JERRY WALD

Screen Play by Richard Brooks and John Huston · Based on the Play by MAXWELL ANDERSON As Produced on the Spoken Stage, by the Playwrights Company · Music by Max Steiner

STAMPEDING THE AMERICA'S FA

See Why These Nine Decoration-To-Labor-Day Shows Are The Talk Of The Trade... Inspiring "Encouraging Optimism" says "The Exhibitor"

Sets all-time opening and first-4-days record Radio City Music Hall. Hollywood & L. A. best business in year and a half.

Its ovation across the nation starts with Liberty Magazine's tip that it's "tops in entertainment."

1st reissue date, Chicago, 60% over new high budget Paramount hit. 2nd, Rochester, within $7 of another new topper.

Hollywood Reporter leads bar rage of rave praise, saying "Its boxoffice fate is a natu ral—it can't go wrong."

NATION–
DRITE SUN....

Packing the Paramount as N.Y. Post keynotes acclaim, calling it "most enjoyable American picture in months."

Pine-Thomas match "Albuquerque" with "A sure bet in beautiful Cinecolor" says "The Exhibitor."

Playing to results that double-check Film Daily's appraisal of "Boxoffice in large letters."

Kansas City, first date, paced it within $30 of smash "Road to Rio."

"Potent boxoffice," says Daily Variety, "and departure from usual Ladd swashbuckler."

Presbyterians Ask For Film 'Clean-Up'

TORONTO, June 23. — Delegates attending the 74th General Assembly of the Canadian Presbyterian Church, urged a "clean-up" of motion pictures both in North America and Europe, together with a more stringent censorship, production of more religious films, abolishment of midnight shows and a change of the Cinematographs Act of Ontario to prevent children under 16 from attending theatres without guardians on Saturday afternoons.

Smakwitz in Variety Post

ALBANY, N. Y., June 23.—Charles A. Smakwitz, acting zone manager here for Warner Theatres and a former chief barker of the Albany Variety Tent, has been named chairman of the tent's Heart Fund committee, succeeding C. J. Latta, who retired as zone manager to become a Warner executive in London.

To Support Youth Month

The Advertising Association of the West has notified the Theatre Owners of America that it "heartily endorses the industry's Youth Welfare program" and has offered its support toward the success of September as "Youth Month."

Bell To Supervise 32

ST. PETERSBURG, Fla., June 23. — Florida State Theatres has appointed Frank Bell supervisor of 32 theatres. He was formerly manager of the company's theatres in Lakeland.

Classics Sets 34

(*Continued from page* 1)

Neufeld and directed by Peter Stewart; "Unknown Island," produced by Albert Jay Cohen and directed by Jack Bernhard; "Return to Treasure Island," produced by Alan Posner and Sam X. Abarbanel; "Babes in Toyland," produced by Boris Morros; "Daughter of Ramona," produced by Martin Mooney and Samuel Goldwyn, Jr.; "God's Children," produced by W. Lee Wilder; "Florentine Chest," to be produced in Italy by Dario Sabatello (dialogue in English); "Capri Magic," also to be produced in Italy, by Sabatello (English dialogue); six Westerns, all in Cinecolor, to be produced by A. L. Lane; three to be produced by Walter Bachelor—two, "Hellgate" and "Gay Street," to be made in New York; three to be produced by Gregory, Cook and Griffith—the first, featuring Boris Karloff and Bela Lugosi, is tentatively titled "The Strange Case of Malcom Craig."

Also, a State Department story; a large-budget Western in Cinecolor; one starring Milton Berle; "Bar Mothers," produced by John Rogers; "Fatima," in Cinecolor; "Pocahontas," in Cinecolor; two "Falcon" pictures, to be produced by W. Lee Wilder; "Shark Man," to be produced by Insular Films, Inc., and three "Inner Sanctum" pictures, to be produced by M. R. S: Pictures, from the Simon and Schuster stories.

Bookers Club Dance

Motion Picture Bookers Club will hold its ninth annual dinner-dance at the Hotel Commodore here on Oct. 17.

REMINDER!

NEXT TUESDAY, JUNE 29TH, AT 6:30,
IS THE DATE FOR THE DINNER
IN HONOR OF

LOUIS B. MAYER

AS A TRIBUTE TO HIS
LEADERSHIP IN THE INDUSTRY,
IN PUBLIC SERVICE, AND IN
PHILANTHROPIC ACTIVITIES.
SPONSORED BY
THE AMUSEMENT INDUSTRY DIVISION
OF THE UNITED JEWISH APPEAL.
GRAND BALLROOM, HOTEL ASTOR

BARNEY BALABAN, S. H. FABIAN,
EMIL FRIEDLANDER, CHAIRMEN

"Tap Roots"

(*Continued from page* 1)

itself up as a separate state when Mississippi secedes in the War Between the States. Ward Bond, the current Dabney, makes the decision in which Heflin, gun-shooting, hard-hitting country editor joins, not because he thinks the madcap scheme can win but because he has fallen for the attractive Miss Hayward, one of the Dabney girls.

The romantic conflict thus is provided by Miss Hayward and Heflin, both headstrong and strong-willed, but evidently well-suited to one another, while Connor decides for Julie London, the other Dabney girl. The physical conflict develops between the country folk who throw in their lot with Bond and the Confederate squadrons assigned to the suppression of the insurrection. Aided by artillery and mounted troops, the outcome is never in doubt. Before the attack is launched, however, Miss Hayward throws herself at Connor, who commands the troops, in a futile effort to delay the onslaught. She does not spend the entire night with him precisely, but enough hours to suggest they did not dance the polka.

For the contrived ending, Heflin promises to rebuild Lebanon, although how he escapes the punishment which he keeps on repeating he expects for his part in the revolt against vested authorities is casually ignored, thereby leaving the conclusion of the tale hanging in mid-air. "Tap Roots" is not without its cliches and obvious theatricalisms as well as one piece of astounding casting in Boris Karloff as a Choctaw Indian who speaks like a cultivated Englishman.

However, these are relatively minor criticisms of a job handled with scope and sweep and an astute combination of situations which many times have proven their ability to entertain and hold audiences in substantial number. The film, additionally, demonstrates that Marshall, who has been making them commercial for years, has lost none of his Midas touch.

Running time, 109 minutes. General audience classification. Release date, August, 1948. RED KANN

"Race Street"

(*RKO Radio*)

AN assortment of bookmakers with an allegiance to George Raft as kingpin comes to grips with unfriendly intruders trying their heavy hands at the "protection" racket in a rather smoothly developed, melodramatic affair that shapes up as a reasonably safe bet for most locations.

Raft has an eye on Marilyn Maxwell, not knowing that she is married to Frank Faylen, head of the "muscle men" bent on cutting in on the bookie business. William Bendix has a prominent assignment as the honest cop out to clear up matters in legal fashion. He has been a friend of Raft's since for many years. So, too, was Henry Morgan (not the H. M. of radio), first to be murdered by the racketeers. Raft sets for vengeance, is killed in the final, blazing-gun climax, by Faylen, and the latter is brought to book by Bendix.

Martin Rackin's screenplay is set in San Francisco and partly employs the fashionable documentary technique. Two musical numbers in a nightclub setting are worked in nicely and are a definite asset. These are "Love That Boy" and "I'm in a Jam with Baby," with Gale Robbins and Cully Richards vocalizing. Dore Schary was in charge of production, Nat Holt produced and Jack J. Gross was executive producer, according to the credit list, which names Edwin L. Marin as director.

Running time, 79 minutes. General audience classification. Release date, not set. GENE ARNEEL

Davis to Screen Guild

ATLANTA, June 23. — Ripley Davis, former owner of the Royal Theatre, Panama City, Fla., and with many exchanges on local Film Row, has returned to Screen Guild Productions as special sales representative and assistant to John W. Mangham, president; Joe Fieldman has also been appointed sales representative, replacing Carl Chalman, resigned.

New Meriden Theatre

HARTFORD, June 23.—Nicholas Kounaris, Paul Tolis and George Ulyssis will construct a new 1,000-seat theatre in Meriden. Kounaris and Tolis are partners in the Newington Theatre at Newington.

Form Booking Company

ATLANTA, June 23.—Jimmy Wilson and Charles Moore have organized Jimmy Wilson Enterprises, theatre booking company, here. They were formerly with Wil-Kin Theatre Supply Co., Atlanta.

See Omaha Aided

OMAHA, June 23.—Local exhibitors expect lagging business to get a boost now that downtown stores are closing at five P.M. on Mondays.

M. & P. Building Halted

BOSTON, June 23.—The new theatre that M. and P. Theatres, Paramount affiliate, had planned for Newton, Mass., has been delayed for the present due to the cost of materials.

Tom Thompson Building

YANKTON, S. D., June 23.—William Burke, RKO Radio office manager at Kansas City, will manage the new theatre which Tom Thompson of Kansas City is building here.

FULL HOUSE?
it's a cinch with. .
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

Video Pickups

(*Continued from page* 1)

tion of the law governing theatre television pickups of the kind, Justice Harry S. McDevitt held that the plaintiffs' intended action would constitute "an unlawful appropriation of property rights." The decision covered all public places where admission prices of any sort are charged.

Similar Ruling in Boston

A similar ruling is reported from Boston, involving Mechanics Hall. In that case a motion to quash the restraining order was made and promptly denied by the court.

An official of Radio Corp. of America, prior to the Philadelphia court's opinion disclosure, said here yesterday that legal steps would be taken against any unauthorized use of its television programs.

Postponement of Fight Delays Video Tests

Postponement of the Joe Louis-Joe Walcott fight to tonight delayed the testing of inter-city, large-screen television relay scheduled for last night at the Fox Theatre, Philadelphia. Television films of the fight are scheduled to be shown at the Paramount Theatre here if the fight goes on tonight as now scheduled.

NBC will transmit the show over micro-wave relay and coaxial cable both, thus giving its Philadelphia affiliate, Philco's WPTZ, its choice of pictures for its general television audience. The Fox, though, will have access only to the relay images which will be fed to it, as arranged by NBC, through Tac, video term for Telephone Audio Contact. The Fox receiver will be RCA's specially designed, 7-inch, high intensity kinescope tube. This is the direct projection method in which the images are thrown back from the tube to a spherical mirror and reflected on the projection ray.

Para. to Use Film Process

At the Paramount, the film company's own "66-second" film process will be employed, whereby the television images are photographed, the films developed and then projected. Thus, Paramount patrons will see the Yankee Stadium show 66 seconds after it begins.

The Fox's audience will be invited, non-paying. The Paramount will charge admissions, offering the television special as a supplement to its regular program. Both paid the same amount for the rights, according to NBC, which refused to specify how much.

RKO Pathe Crew Set For Fight Coverage

Top speed will mark RKO Pathe's coverage of the postponed Louis-Walcott fight at the Yankee Stadium here, with Metropolitan New York theatres showing the films the following morning and air express bringing them to houses in the field a day later. Rain caused a postponement of the event last night. Harry Michalson, short subject sales manager, expects the demand will exceed the 1,200 prints for the previous contest between the two.

The film will be made in two reels. Under Jay Bonafield's supervision, six cameramen will cover the event as part of a crew of 25. RKO Radio will distribute.

FCC Rejects

(*Continued from page* 1)

meet other procedural requirements. Warner had applied for a Chicago television station, hence its protest.

The FCC today also announced the lineup for the hearings, which will open June 29. Among those scheduled to appear are 20th Century-Fox of New England, Allen B. Dumont Laboratories, Columbia Broadcasting, and Television Broadcasters Association.

Paul Raibourn, Paramount television executive, told the FCC today that he "envisions" the production of feature films solely for home consumption through television, but added that while serious consideration is being given to the matter, Paramount does not plan to produce such films in the immediate future.

Video vs. Theatre Boxoffice

The close relationship between theatre boxoffice and television was brought out in cross-examination of Raibourn by Judge Samuel Rosenman, CBS counsel, and John Hearn, San Francisco attorney representing Station KROW of Oakland, which is also applying for a San Francisco video channel. Rosenman intimated that if the Paramount theatres in San Francisco should be damaged economically by television and Paramount is operating a video station in that city, there might be an inclination to lower video program standards.

Raibourn readily admitted that television was beginning to bite into boxoffice, particularly when such major events as the current Republican convention and championship prize-fights compete.

Queried about the effect of televised features on boxoffice receipts, Raibourn said that the value of pictures are affected by video presentation until the film has exhausted its theatre exhibition outlets. He predicted that television showings will be an economic asset for films when television can "make it worth our while to show features."

WBKB Manager on Stand

Other witnesses today were William C. Eddy, manager of WBKB in Chicago, who described the operations of the Paramount video outlet, and Sheldon F. Sackett, KROW president and sole owner, who asserted that the major portion of the financing for his proposed video station would come from his personal fortune and enterprises.

With the hearings now expected to wind up next Wednesday, according to FCC examiner Jack P. Blume, 20th Century-Fox probably will not testify before Tuesday.

New Ohio Meeting Date

COLUMBUS, O., June 23. — Convention of the Independent Theatre Owners of Ohio will be held September 14-15 at the Deshler-Wallick Hotel here rather than November 30-December 1, as originally announced. Conflict with dates of the National Allied convention at New Orleans caused the change.

'Castle', 'Crusade' To Open

Paramount's British production of "Hatter's Castle" and the reissue of Cecil B. DeMille's "The Crusades" have been set for New York runs, the former starting next Wednesday at the Ambassador Theatre, and the latter opening at the Rivoli on July 3.

A DECIDED PLUS FOR ANY THEATRE... ANYWHERE!

The One and Only

10 Years... a comic book standout!

9 Years... a nation-wide newspaper feature!

8 Years... a radio sensation!

Millions and millions of constant fans you can reach and add to with Columbia's exciting exploitation campaign!

A COLUMBIA SERIAL

She remembers Mama...

NOTHING here betrays the days that passed between the camera's visits to this room. To movie-goers, all seems the same as when they looked in "only a moment ago."

Because—before the camera rolled—the script girl had every single detail in mind—from the actors' make-up, costumes, action, down to the smallest prop. And thus the director's "second memory" made sure that smooth continuity would be faithfully preserved.

Through such unflagging watchfulness, the script girl adds much to every picture's perfection . . . saves many a costly retake, too. In this, of course, she's not alone—her "silent partners" are films of great dependability and uniformly high quality—members of the famous Eastman family.

EASTMAN KODAK COMPANY
ROCHESTER 4, N. Y.

J. E. BRULATOUR, INC., DISTRIBUTORS
FORT LEE • CHICAGO • HOLLYWOOD

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 123 NEW YORK, U. S. A., FRIDAY, JUNE 25, 1948 TEN CENTS

Unanimity on British Quota Stand Lacking

Divided Interests Make New Embargo Unlikely

Individual companies are preparing suggestions for dealing with the problem of Britain's 45 per cent quota order and are scheduled to place them on the table for discussion here at a meeting of the executive committee of the Motion Picture Export Association on Monday.

The individual proposals are expected to be of varying character, following along the lines of each company's obligations and business prospects in Britain. Accordingly, there is little likelihood of any unanimity on a renewed embargo of film shipments to Britain.

Universal and Eagle-Lion are committed to film deliveries to J. Arthur Rank and could not join in an embargo of the kind proposed now without violating their contracts. Loew's and Warners are assured of fair playing time in Britain over the Associated

(*Continued on page 4*)

Majors Sued for $600,000 in Miss.

VICKSBURG, Miss., June 24.—A $600,000 suit charging conspiracy has been filed in U. S. District Court here by Joe Appleblum and Bertram E. Simms, Greenville, Miss., theatre owners, against Paramount, Warner, Universal, United Artists, 20th-Fox, RKO Radio, Loew's, Columbia, Republic, Paramount, Richards Theatres of New Orleans, and Clyde G. Darden of Greenville, and W. Q. Presitt, Jr., of New Orleans, a partnership.

Plaintiffs assert they were denied access to product until from 60 to 90 days or more after the Paramount

(*Continued on page 2*)

Mexican Studios May Close Today

MEXICO CITY, June 24.—Total stoppage of Mexican production is due here tomorrow, the National Cinematographic Industry Workers Union (STIC) having advised the Federal Board of Conciliation and Arbitration that it will then call a strike against four of the five local studios—Churubusco, Azteca, Clasa and Tepeyac—

(*Continued on page 4*)

Theatre Grosses Leveling Off in Key Situations

The 10 per cent dip which hit theatres grosses in key cities at the end of the first four months of 1948 appeared to level off last month, according to reports on some 160 situations received from MOTION PICTURE DAILY field correspondents. This circumstance prevailed notwithstanding the fact that unfavorable weather, big political rallies and baseball tended to cut into theatre attendances from time to time in various sections.

Weekly average gross per theatre in May was $14,163, only slightly behind the previous month's $14,545 and the weekly average for May, 1947, which was $14,945.

"State of the Union" was far and

(*Continued on page 2*)

Jameyson Retires, Souttar Succeeds

KANSAS CITY, June 24.—Howard E. Jameyson, manager of district No. 3 of Fox Midwest since it was organized 18 years ago, is retiring. He will be succeeded by Fred Souttar, promoted from manager of district No. 4, St. Louis, and his district post goes to John Mernardi, for two years assistant to Lon Cox as Fox Midwest film buyer. Mernardi joined Fox Midwest 18 years ago. He managed theatres and booked in St. Louis.

Jameyson wrote from Kansas City for the old *Moving Picture World* in 1914, joined Pathe as a salesman in 1915, and then was with the Hardings in operating the Doric and Liberty theatres in Kansas City. Thirty years ago he went with M. Miller at Wichita, whose theatres went into Fox Midwest 12 years later.

Warner and Cohn in Stock Transactions

WASHINGTON, June 24.—Trading by film executives in their companies' stocks was generally light during the period from April 11 to May 10, according to a report of the Securities and Exchange Commission.

Warner president Harry M. Warner made four gifts totaling 6,250 shares, leaving him with 284,350 shares plus 16,000 shares in trust accounts.

At Monogram, George D. Burrows sold 4,600 shares, dropping his holdings to 3,033 shares. Universal director Daniel M. Sheaffer sold 1,600 shares of Universal common, leaving him with 13,207 shares.

At Columbia, Jack Cohn trust hold-

(*Continued on page 4*)

Fox in Phila. Shows Convention Telecast

PHILADELPHIA, June 24. — An invited audience at the Fox Theatre here tonight witnessed the first direct, large-screen theatre exhibition of a five-minute telecast from the Republican convention. Disappointed for the second consecutive night over postponement of the Joe Louis-Joe Walcott fight because of rain in New York and, therefore, of the cancellation of the inter-city video relay test, the audience nevertheless appeared

(*Continued on page 2*)

NY Supreme Court Bans Video Pick-up

A New York County Supreme Court injunction yesterday called a halt to the plans of the Audubon Ballroom, dance hall here, to pick up the Joe Louis-Joe Walcott fight which was to be shown in conjunction with a "victory dance," with an admission scale of $1.80 to $2.40, plus tax. The establishment had advertised "ringside" seats and a 10-by-12 foot screen. National Broadcasting, Gillette Razor, Louis and Walcott, among others, were the plaintiffs, contending that the fight pictures were the chief attraction, not the dance, and there was no authorization for the video pick-up. Justice Lloyd Church agreed.

The Lawndale Theatre, Philadelphia, was similarly restrained by a Common Pleas Court decision on Wednesday.

Video Disappoints At GOP Convention

PHILADELPHIA, June 24.—Physical distortions in telecasts of speakers and others at the Republican Convention here have resulted in widespread criticism of the medium's deficiencies and could lead to the placing of restrictive measures on its use at future public functions of non-professional character, it is generally believed here.

An opinion frequently encountered is that, if restrictions are not imposed upon television, the medium should impose them on itself for its own good since the highly unfavorable reaction of those noting the grotesque images of speakers and others without make-up.

Act on Severe French Film Levy Today

Its Adoption Would Be Followed by Embargo

Distribution executives here virtually resigned themselves yesterday to the possible loss of the French market as word was received that the Chamber of Deputies will vote in Paris today on a film import tax proposal which would virtually wipe out profits from distribution of U. S. pictures in France.

The tax would amount to between $1,000 and $1,200 per print, U. S. companies' Paris managers report. The enabling bill, a left-wing measure, is termed an initial move toward ultimate socialization of the entire French film industry. An additional provision stipulates an increase in admission taxes from five to 10 francs with total revenue, estimated at 1,000,000,000 francs yearly, marked for subsidizing the French industry.

By acting on the bill today the French Assembly would be "jumping

(*Continued on page 4*)

Seven in Netherlands Through the MPEA

Columbia and Universal-International, at a meeting here yesterday of the board of directors of the Motion Picture Export Association, announced that they would join the new MPEA service organization which will operate in the Netherlands starting Sept. 1, 1948.

The new setup, under which member companies will sell independently in that country, through MPEA facilities, now has seven distributing companies, Metro-Goldwyn-Mayer, Paramount, RKO Radio, Warner Brothers and 20th Century-Fox having previ-

(*Continued on page 4*)

Film Dividends Off Again, US Reports

WASHINGTON, June 24.—Film companies' dividend payments, dropping since January 1, were off again in May, the Commerce Department reports. Publicly-reported cash dividends of film companies in May totaled $186,000, compared with $217,000 in May of last year. Chief reason for the drop, Commerce says, is that

(*Continued on page 4*)

Personal Mention

PAT CASEY, industry labor relations consultant, has arrived in New York from Hollywood.

•

JOSEPH HAZEN, Hal Wallis Productions president, left here yesterday for the Coast where he will remain for the summer. HAL WALLIS will return to the Coast from here today.

•

BERRY GREENBERG, Far Eastern special sales representative for Samuel Goldwyn Productions and Walt Disney Productions, is here for home office talks.

•

JERRY PICKMAN, Eagle-Lion assistant advertising-publicity director, will leave New York today for Canon City, Col.

•

MAX E. YOUNGSTEIN, Eagle-Lion advertising - publicity vice - president, will be on the Coast over the weekend from Des Moines.

•

CHARLES SIMONELLI, Universal-International Eastern exploitation manager, returned to New York yesterday from Philadelphia.

•

WALTER L. TITUS, JR., Republic division manager, will return to New York today from Cleveland and Cincinnati.

•

GEORGE GLASS, Screen Plays, Inc., vice-president, will leave New York today for the Coast.

•

WILLIAM PERLBERG, 20th Century-Fox producer, is due here today from England.

•

AL HORWITS, Universal-International Eastern publicity manager, returned here yesterday from the Coast.

Johnston Named to ECA Advisory Unit

WASHINGTON, June 24.—Eric Johnston, Motion Picture Association of America president, was today given an interim appointment by President Truman as a member of the Public Advisory Board of the European Co-operation Administration. Johnston and the 11 other members of the board will serve until a new board is named by the President next year. The nominations were sent to the Senate on Saturday, but since Congress ended its session without acting on them, the interim appointments were necessary.

Johnston, Dewey Chat; Press Speculates

WASHINGTON, June 24.—MPAA president Eric Johnston remained in Philadelphia today at the Republican convention. At one point during the day, after the MPAA head had conferred with Gov. Thomas E. Dewey, press dispatches speculated on whether Johnston might be considered as Dewey's running mate.

20th-Fox Production Confabs on the Coast

Headed by 20th Century-Fox president Spyros P. Skouras, home office sales and advertising executives will leave here over the weekend to start a series of conferences on Monday at the studio. Distribution of new product and advertising plans will be discussed.

Included in the party which will meet with Joseph M. Schenck, production executive, and Darryl F. Zanuck, production vice-president, are Andy W. Smith, Jr., general sales manager; W. C. Gehring, assistant general sales manager; Charles Schlaifer, advertising-publicity director; Stirling Silliphant, executive assistant to Schlaifer; Christy Wilbert, advertising manager, and Louis Shanfield, art director.

Product to be discussed includes: "The Snake Pit," "That Lady in Ermine," The Shamrock Touch," "Apartment for Peggy," "Martin Rome," "Unfaithfully Yours," "When My Baby Smiles at Me" and "Road House."

ITOA Installs Brandt Head for 15th Year

At the 15th annual installation luncheon of the Independent Theatre Owners Association at the Hotel Astor here yesterday Harry Brandt was installed as president for the 15th consecutive year. Acting as installation officer was Milton C. Weisman, general counsel of the organization. Others installed were 1st vice-president, David Weinstock; 2nd vice-president, Max A. Cohen; treasurer, Leon Rosenblatt; secretary, J. Joshua Goldberg; sergeant-at-arms, John C. Bolte, Jr.

Gellis, Stein Associated

Maurice Appleton Gellis, former special assistant to the U. S. Attorney-General in the anti-trust division of the Department of Justice and former assistant corporation counsel of the City of New York, has become associated with New York attorney Monroe E. Stein, who numbers many film companies among his clients. Stein is one of the plaintiff's attorneys in the Fifth and Walnut anti-trust suit which is currently being tried in U. S. District Court here.

Convention Telecast

(*Continued from page* 1)

satisfied with tonight's show.

Images were clear and sharp and reception generally was good, with frequent "angling" of perspectives and shifting of scenes. Convention Hall, from which point the telecast was picked up, is about 15 blocks from the Fox. Before the telecast, the audience saw a special screening of "The Street With No Name."

Riffle Leaves Altec

LOUISVILLE, June 24.—Frank H. Riffle has resigned as Altec Service field manager working out of Cincinnati to join Falls City Theatre Equipment Co. as chief engineer.

Stamp To Tie In TOA 'Youth Month'

Postmaster - General Jesse M. Donaldson has authorized a special commemorative postage stamp honoring the Youth of America, his action following a request by Theatre Owners of America's executive director, Gael Sullivan, to tie in with TOA's "Youth Month" program in September.

Theatre Grosses

(*Continued from page* 1)

away the leader last month. In second place, but considerably outdistanced, was "The Iron Curtain," pressed closely by "Fort Apache" and "Miracle of the Bells," which tied for third spot.

Meanwhile, the following demonstrated notable grossing strength in several situations: "Sitting Pretty," "Duel in the Sun," "The Naked City," "Lady from Shanghai," "The Sainted Sisters," "Saigon," "The Big Clock," "The Outlaw" and "I Remember Mama."

Others turning in better-than-average grosses in a lesser number of situations were: "Winter Meeting," "Tarzan and the Mermaids," "The Smugglers," "Unconquered," "Black Bart," "Lost Honeymoon," "Song of My Heart," "The Bishop's Wife," "Woman in White," "Always Together," "Caged Fury," "Arch of Triumph," "To the Ends of the Earth," "If You Knew Susie," "The Mating of Millie," "Mourning Becomes Electra," "Fighting Father Dunne," "All My Sons," "Hazard," "The Fuller Brush Man," "Silver River," "Raw Deal," "Homecoming" and "Scudda Hoo! Scudda Hay!"

NTFC Chairmen To Meet Here Tonight

A meeting of all sub-committee chairmen of the National Television Film Committee has been called for tonight by NTFC chairman Melvin L. Gold. Among the topics expected to be discussed are the new standard exhibition contract, membership drive, selection of legal counsel and other activities.

Also attending will be Robert M. Wormhoudt, secretary-treasurer; Irwin Shane, by-laws committee; Myron Mills, distribution; Robert Paskow, television stations committee; Jay Williams, productions; Sally Perle, press relations.

Fabian Theatres' Party

John Murphy and Harold Rinzler were awarded first and second prizes, respectively, for low gross scores at the annual Fabian Theatres' golf tournament and party held yesterday at Preakness Hills Country Club at Wayne Township, N. J. Some 200 exhibitors and distributors from the Metropolitan area as well as Philadelphia and Albany, N. Y., participated in the day's activities. A number of other prizes in different golfing categories was also awarded.

Majors Sued

(*Continued from page* 1)

Theatre in Greenville, and 21 to 30 days or more after the Lake, in the same town. The Paramount is operated by Paramount Richards Theatres, and the Lake by Darden and Presitt.

It is charged that the plaintiffs "have repeatedly requested earlier availability from distributing defendants."

Don Velde Quits N.S.S.

Donald L. Velde has resigned from National Screen Service after eight years. Burton E. Robbins, assistant to Herman Robbins, NSS president, will absorb his duties.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
BING CROSBY JOAN FONTAINE
in "THE EMPEROR WALTZ"
Color by TECHNICOLOR
A Paramount Picture
SPECTACULAR STAGE PRESENTATION

Paramount presents
BETTY HUTTON · JOHN CAREY
in "Dream Girl"
A MITCHELL LEISEN PRODUCTION
PARAMOUNT TIMES SQUARE
In Person "HOUR OF CHARM" ALL-GIRL ORCHESTRA Under the Direction of PHIL SPITALNY
presenting EVELYN and Her Magic Violin
plus SIBYL BOWAN
MIDNIGHT FEATURE NIGHTLY

Walt Disney's greatest star-and-song-show!
"MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

RKO presents 'FIGHTING FATHER DUNNE'
starring PAT O'BRIEN as FATHER DUNNE
Extra LOUIS vs WALCOTT FIGHT FILMS
COOL VICTORIA B'WAY at 46th ST.

DAN DAILEY
"Give My Regards To Broadway"
A 20th Century-Fox Picture in Technicolor
On Variety Stage—THE ANDREWS SISTERS
DEAN MARTIN and JERRY LEWIS
On Ice Stage—
CAROL LYNNE · ARNOLD SHODA
ROXY 7th Ave. & 50th St.

JOHN FORD'S MASTERPIECE
"FORT APACHE"
IN PERSON LENA HORNE
Special! PAUL WINCHELL
Extra! SKINNAY ENNIS and his ORCH.
COOL CAPITOL B'way & 51st St.

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JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

June 27, 1948

The street on which crime flourishes is the street extending across America. It is the street with no name. Organized gangsterism is once again returning. If permitted to go unchecked, three out of every four Americans will eventually become its victims.

Wherever law and order break down there you will find public indifference. And wherever law and order break down, there you will find the FBI meeting the challenge of the new criminal onslaught.

20th Century-Fox revealed in "The House on 92nd Street" the story of the FBI at war! Now the same studio, with information adapted from our files and with the cooperation of this bureau, brings you the story of the FBI today--"The Street With No Name"!

J. Edgar Hoover

The STREET WITH NO NAME

Starring
MARK STEVENS · RICHARD WIDMARK
with Lloyd Nolan · Barbara Lawrence
Directed by WILLIAM KEIGHLEY
Produced by SAMUEL G. ENGEL

20th CENTURY-FOX

French Tax

(*Continued from page* 1)

the gun" by several days in light of the agreement secured by Motion Picture Association of America international division director Gerald M. Mayer, now in Paris, for a postponement of consideration of the measure until two weeks from June 14.

The U. S. industry is expected to place an embargo on further shipments to France if the tax is passed, just as it did last August in the case of Britain. But breaking off relations with France will be regarded as considerably less serious since American companies have not been getting any remittances out of that country. Some $18,000,000 due the Americans is now frozen in France.

Under a quota set up by the French Assembly, the U. S. companies were permitted to ship about 125 pictures a year into France, but the MPAA companies did not send that many.

The proposed tax would be levied on prints made in France. Since all dubbing prints must be made in that country under French law, all U. S. features shown in France are printed there.

Mexican Studios

(*Continued from page* 1)

unless they meet its demand for pay hikes of 40 to 60 per cent, and the studios having told the board that it is impossible for them to grant such demands because of poor business. Churubusco, which RKO and its Mexican associate, Productores Asociados Mexicanos, opened on November 1, 1945, has asked the board to allow it to cut wages by 40 per cent.

STIC included the Clasa and Tepeyac studios in its strike in order to make a "solid front." Clasa is owned by Clasa Films Mundiales, important producer, and Tepeyac by Theodore Gildred, American film man, and associates. STIC ignored the fifth studio, operated by Jorge Stahl, presumably because that studio is not doing very much.

Unanimity Lacking

(*Continued from page* 1)

British circuit, and 20th Century-Fox appears to be content with the playing time allocated to its product over Rank's circuits. Columbia and United Artists, which have not been allocated any time on the Rank circuits, have the least to lose through a new embargo.

Therefore, indications are that some milder form of action than an embargo will be the result of Monday's meeting. Either that, or a wait-and-see policy, is anticipated.

OF COURSE

you'll make money with...

"TEXAS, BROOKLYN and HEAVEN"

sent from UA

Equipment Export Licenses Extended

Washington, June 24.—Licenses for exports of motion picture equipment to Europe and adjacent areas will now be issued on a six-month rather than on a 90-day basis, the Commerce Department has announced here.

No licenses are needed for exports of exposed film, and raw stock will continue on a 90-day basis.

Stock Transactions

(*Continued from page* 1)

ings disposed of 2,000 shares, leaving 21,619. Cohn himself has 47,969 shares. A. Montague sold 200 shares, but acquired 195 as a stock dividend, winding up with 8,027 shares, plus warrants for 10,426 more. A. Schneider sold 1,000 shares, but acquired 274 as a stock dividend, leaving his holdings 726 shares less, at 11,253 shares. Donald S. Stralem acquired 24 Columbia shares as a stock dividend to bring his total to 992.

Paramount director Duncan G. Harris bought 200 shares, to increase his holdings to 2,600, while Maurice Newston bought 150 shares and promptly gave them away, leaving him with 18,605, plus 18,380 in trust accounts.

Harry Brandt of Trans Lux Corp., bought 1,500 shares, increasing his holdings to 88,565 shares. Broadyork, Inc., owns another 1,000, Brandt reported, Harday Operating Co. another 1,400 shares, and Brandt's wife 14,700. Earle G. Hines of General Precision Equipment Corp., sold 500 shares, leaving him 1,500.

Film Dividends Off

(*Continued from page* 1)

Loew's Boston Theatres omitted its usual May dividend this year.

Total for the first five months of 1948 is $15,871,000, compared with $18,438,000 in the same 1947 period. In only one month, February, was the 1948 figure ahead of 1947, totaling $226,000, compared to $217,000 in 1947.

The department usually figures that publicly-reported cash dividends account for about 60 per cent of all dividend payments.

Netherlands MPEA

(*Continued from page* 1)

ously approved membership in the joint organization. Of MPEA's nine member companies, only Allied Artists and United Artists indicated decision to operate outside of the MPEA in that market. Francis Harmon, MPEA vice-president, presided.

SRO To Sell Del Rio Picture in Mexico

Selznick Releasing Organization will distribute "Historia De Una Mujer Mala" ("The History of a Bad Woman") in Mexico. Adapted from Oscar Wilde's "Lady Windermere's Fan," the Dolores Del Rio picture was made in Argentina.

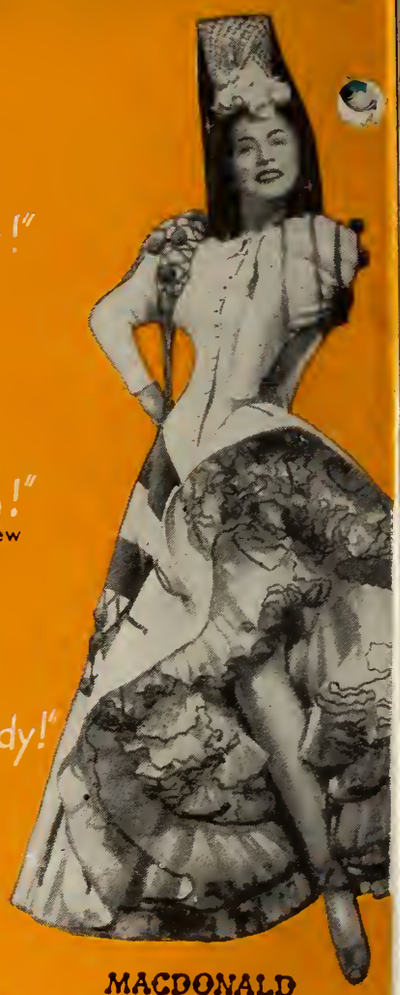
The distribution deal was made with Miss Del Rio by Manny Reiner, SRO's managing director for Latin America, and Alfredo Holguin, the company's Mexican manager.

Specialists analyze Boxoffice Dream
Find she's tops on the Boxoffice Beam!

"Sure-fire Winner!"
says Variety

"Landslide of Coin!"
says Showmen's Trade Review

"Superb Hutton Comedy!"
says Hollywood Reporter



BETTY HUTTON is the girl with her head in the clouds

MACDONALD CAREY is the wolf with the gleam in his eye

in "Dream Girl"

is based on the play that wowed Broadway...

No. 2 in PARAMOUNT'S SUMMER HIT WAVE

with
PATRIC KNOWLES
VIRGINIA FIELD
WALTER ABEL
PEGGY WOOD

A Mitchell LEISEN Production
Produced by P. J. WOLFSON
Directed by MITCHELL LEISEN

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 53. NO. 124 NEW YORK, U.S.A., MONDAY, JUNE 28, 1948 TEN CENTS

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Colosseum Is Victorious In NLRB Voting

Chosen for 10 Companies But Loses in NSS Vote

Colosseum of Motion Picture Salesmen of America at the weekend became the collective bargaining representative for the film salesmen of all 11 distributors, it was determined by a count of ballots at the National Labor Relations Board office here. Except in the case of the Loew's salesmen, the voting in the company-wide elections was heavily in favor of the union.

However, the Colosseum lost in the ballotting by National Screen salesmen, who chose by a vote of 32 to 19 to have no union representation.

Although the general victory for the union was not unexpected, A. M. Van Dyke, Colesseum president, said following the tabulation that the loss of NSS and winning of Loew's representation were mildly surprising. Loew's salesmen voted 43 in favor of the Colosseum and 30 against.

Acknowledging that the union has

(*Continued on page 2*)

U.K. Quota to House Of Lords Tomorrow

LONDON, June 27.—House of Lords action on the new 45 per cent film quota order will not occur until Tuesday, instead of tomorrow, as originally scheduled.

Approval of the quota order by Lords is regarded here as a certainty in view of the absence of any strong opposition to it in the House of Commons, which already has approved it.

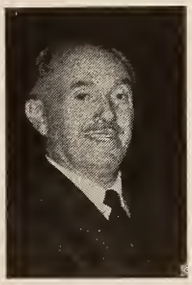
MPEA Meeting Is Put Off to Thursday

Meeting of the M. P. Export Association executive board which had been scheduled for today to give consideration to the new British quota order and other British market problems has been postponed until Thursday.

Eric Johnston, MPEA president, said the absence from New York of several board members made the postponement necessary.

Employment Up 42% in WB Studio Boom

Spearheading an upswing in motion picture industry employment and production, Jack L. Warner, executive producer, discloses that work at Warner Brothers' Coast studio is at its highest level since 1940, and that it will reach an even higher peak in July. Warner, now in New York from Hollywood, expects to leave here Wednesday for Europe. During the past 11 weeks employment at the Burbank studio has risen 42 per cent, to reach an approximate



Jack L. Warner

(*Continued on page 2*)

Paramount Defies Video Pickup Ban

The possibility of a test case on the right of a theatre to pick up a news telecast and reproduce it on its large screen for a paying audience, without authorization by the television firms involved, came to the fore at the weekend, following Thursday night's surprise showing of video pictures of the Philadelphia Republican convention at the Paramount Theatre here.

Paramount previously had applied for the rights, reportedly offering to

(*Continued on page 2*)

Midwest Rains Flood Out Film Patronage

Kansas City, June 27.—Rain starting a week ago produced floods in Eastern Kansas and Western Missouri which temporarily blocked many highways and trains, but there have been no reports of any theatre inundated or closing.

One region still threatened is Central Kansas. Oklahoma conditions are still dangerous.

Theatre patronage in towns of flooded areas has been sharply reduced for several days.

$522,000 Anti-trust Suit in Indianapolis

INDIANAPOLIS, June 27.—An anti-trust suit asking $522,000 has been filed in Federal Court here by Central Avenue Theatre Corp., operator of the Zaring Theatre, against six distributors and operators of five downtown and four neighborhood houses. The complaint charges that the method of distribution and clearance has created a monopoly in violation of the Sherman and Clayton anti-trust acts.

The plaintiff, a subsidiary of Manny Marcus Enterprises, named Loew's, 20th Century-Fox, Paramount, Columbia, Universal, United Artists, Amusements Enterprises, Inc., the Greater Indianapolis Amusement Co. and Fourth Avenue Amusement Co. of Louisville as defendants. The treble-damage suit claims the Zaring lost $174,000 in patronage since April 1, 1947.

Greater Indianapolis and Fourth Avenue jointly operate the Indiana, Circle, Lyric and Keith's in downtown Indianapolis.

Para. Fight Telecast Sets Theatre Video as a 'Fact'

By GENE ARNEEL

No longer to be considered in terms of potentiality, but as fact, and now, is theatre television. This was clearly demonstrated at the Paramount Theatre here on Friday night, when the video account of the Joe Louis-Joe Walcott championship bout was reproduced on the 18-by-24 foot screen of Paramount Picture's Broadway showcase before an obviously excited audience. The images were completely discernable, wholly adequate and the only shortcoming was not in the tele-

(*Continued on page 2*)

Goldman Demands Phila. Divestiture

PHILADELPHIA, June 27.—William Goldman, independent exhibitor here who won a $375,000 judgment against major distribution-exhibition companies, petitioned Federal Court here on Friday to force Warner Brothers and other companies to give up ownership of theatres in the Philadelphia district. Judge William H. Kirkpatrick set a hearing for tomorrow.

Goldman, in his latest action, main-

(*Continued on page 3*)

Conciliation Plan Is Set By 20th-Fox, NCA

Committee of Exhibitors Will Screen Grievances

MINNEAPOLIS, June 27.—North Central Allied and 20th Century-Fox have joined in a new program to mediate differences which may arise between members of the exhibitor organization and the company, Benjamin Berger, NCA president, announced.

The agreement, first of its kind in the industry, directs that the Allied unit create a grievance committee of three permanent members and three alternates. The group will consider complaints of exhibitors and, if they are found to be justified, they will be referred to 20th-Fox officials to be designated. Under the arrangement, the committee will hear all complaints except those of a private or personal nature. Additionally, it will not attempt to negotiate contracts for any exhibitor.

"The plan is non-partisan in its application and its founders are hopeful

(*Continued on page 3*)

French Tax Action Off Indefinitely

The French Assembly has postponed indefinitely the taking of any action on the left-wing proposal which would levy a confiscatory film import tax, according to word received from Paris at the weekend. The postponement was made at the request of the French Foreign Ministry.

The Ministry's action delayed the Assembly's attempt to act on the measure on Friday. As reported in MOTION PICTURE DAILY at the weekend, the planned tax would amount to between $1,000 and $1,200 per print.

Rodgers Promotes 4 Of MGM Field Force

Four promotions in M-G-M's field force were announced at the weekend by William F. Rodgers, distribution vice-president.

William D. Gaddoni, salesman at Chicago, has been made manager at Omaha; Gerald E. McGlynn, manager at Omaha, has been transferred to Des Moines, to succeed D. C. Ken-

(*Continued on page 2*)

Personal Mention

JOHN G. MULDER of Eastman Kodak's film quality control staff, has been elected an associate member of the Oval Table Society, honorary organization devoted to advancement of "the art and science of photography."

•

MINNA JACKTER, daughter of Columbia assistant general sales manager RUBE JACKTER, was graduated on Friday from Elizabeth Barrett Browning Junior High School, Bronx, as an honor student.

•

EDMUND C. GRAINGER, JR., son of the Shea Circuit executive, was married Saturday to MISS VIRGINIA ROCKE at Resurrection Church, Rye, N. Y.

•

MAX SCHOSBERG, retired head and founder of Paramount Theatres confectionery department, left here at the weekend by plane for Geneva.

•

BERNICE KORNBLUM, secretary to BEATRICE ROSS at Republic here, was married this weekend to HAL SHIPMAN.

•

ALAN F. CUMMINGS, head of M-G-M exchange operations, will return to New York today from a vacation.

•

JACK C. ALICOATE, Eagle-Lion trade press contact, and MRS. ALICOATE left here over the weekend for a Florida and Cuba vacation.

Lachman Opens NJ Allied Meet Today

Edward Lachman, retiring president of Allied of New Jersey, will open the organization's annual convention at the Hollywood Hotel, West End, N. J., today. Several hundred exhibitors and distributor representatives will be on hand for the three-day conclave which will feature many discussions on industry problems.

A number of social events, including golf, swimming and horse racing, have been scheduled by convention chairman Wilbur Snaper.

Minsky Resigns E-L District Sales Post

Joseph Minsky, Eagle-Lion district sales manager since 1946, has resigned to enter another field, it was announced at the weekend by William J. Heineman, Eagle-Lion vice-president in charge of distribution.

William V. Ripps

William V. Ripps, father of Herman L., assistant Eastern division manager of M-G-M and of Ralph Ripps, M-G-M salesman at Albany, N. Y., died Thursday at his home here. Interment was on Friday. Also surviving are the widow and three other children.

Fight Telecast

(*Continued from page* 1)

vision, but in the fight itself, which was dull until the 11th round when Louis scored the knockout.

Paramount, in its agreement with the telecasters and promoters of the event, had not made known its plans to show the bout until nine P.M., or about one hour and 15 minutes before it actually began. At nine, marquee signs proclaimed the special and a sound truck toured Times Square. The immediate effect was a long queue to the boxoffice. It was a business stimulant beyond question.

But the majority of Paramount customers were surprised, having entered the theatre earlier, solely for the "Dream Girl"-Phil Spitalny stage show combination. The feeling of expectancy pervaded the audience from the very start of the bout, this being easily determined by the shouts of approval when the first of the very few genuine pugilistic blows were exchanged. The theatre's process, employing films taken direct from a receiver in the projection booth and thrown on the screen, was doubtless a success.

Paramount had its own employes spotted around the house to gauge audience reaction. Their report was unquestionably highly favorable.

Gillette Razor Co., as the television sponsor, was left out in the cold so far as plugs for its products were concerned at the Paramount. The in-between-round intervals were given to film trailers heralding the next at the house, "A Foreign Affair," and another, "The Emperor Waltz," current at the Music Hall.

As for the business end of the deal, Paul Raibourn, president of Paramount's Television Productions, reports that the contracts with all interested parties are out-distanced in wordiness only by the Versailles Treaty. He would not say how much it cost.

Paramount Defies

(*Continued from page* 1)

share coaxial cable costs, but this was turned down by the 18 television stations which joined in a pooling arrangement for coverage of the event.

It is understood that Paramount thereupon assumed the position that the convention—particularly Gov. Dewey's acceptance speech, which it projected on its large screen—made for a public service program, that it was intended to be seen and heard by the public, hence the theatre had it within its right to so service the public.

Last month the 18 stations announced they were opposed to reproduction of their televised material in any place where an admission price is charged. It was after this that Paramount made its bid for authorization, it is understood. Paramount had figured on paying between $4,000 and $5,000 in costs, it is reported.

Court decisions in Philadelphia, Boston and New York declared as illegal last week unauthorized pickups of the Louis-Walcott fight wherever an admission price of any kind was to be charged.

FCC Asked to Rule On Video Control

WASHINGTON, June 27.—Columbia Broadcasting System has asked the Federal Communications Commission to tell it how much stock it can own in a television station before the commission says it controls it.

Columbia is concerned that some of its applications for television stations will be ruled out as bringing it above the FCC's five-station limit. In some stations it is in the process of acquiring or negotiating for, its interest goes as high as 47 per cent. So on Friday, Columbia asked the FCC to examine its various holdings, say which it "controls," and so guide it on its future television policy.

Columbia did not challenge the five-station limit ruling, as Paramount Pictures is reported ready to do.

B.& K. Chicago Gross Zooms on Price Cut

CHICAGO, June 27.—A strong $10,000 gross at the Balaban and Katz Chicago Theatre on Thursday inaugurated the return to stage shows coupled with a reduction of morning and afternoon prices. If the pace continues, observers say, the house looks to hit a solid $65,000 in the first week. "The Fuller Brush Man" is on the screen and Billy DeWolfe on the stage. Price reductions in five other B. and K. Loop theatres also went into effect Thursday.

Arbitrate Para. Raise

What was believed to be the last in a series of hearings before a three-man arbitration panel on a 30 per cent wage increase asked by Paramount members of the Screen Publicists Guild was held in New York at the weekend. Arbiters heard testimony from Sid Mesibov, Ben Washer and Stanley Shuford on operations of their departments. The three had been called as company witnesses. The arbitration panel included Pete Hawley for the union, Albert G. Whaley for the companies and Prof. Milton Handler as impartial arbitor.

Motion on "U" Suits

Hearing on motions by Universal for summary judgments and dismissal of the complaints in two stockholder suits was put over to July 13 here on Friday by Federal Judge John W. Clancy. In one suit Stephen Truncale asks for an accounting of sums realized from the sale and purchase of Universal stock. Five directors are named co-defendants. In the other Truncale and an intervenor, William Freiday, are suing the company and 19 directors over a stock option deal.

Magnavox Preview

Magnavox Co. marked its entry into the television field with a luncheon preview of its television receivers at the Hampshire House here at the weekend. Frank Freimann, executive vice-president, announced the company would reach a capacity of 10,000 units per month by fall.

Newsreel Parade

THE entire footage of all current newsreels is devoted to Governor Dewey winning the nomination at the Republican convention.

MOVIETONE NEWS, No. 51—Dewey wins nomination.

NEWS OF THE DAY, No. 285—Dewey wins nomination.

PARAMOUNT NEWS, No. 88—Dewey wins.

UNIVERSAL NEWS, No. 155—Dewey wins.

WARNER PATHE NEWS, No. 90—GOP convention. Dewey wins.

WB Employment

(*Continued from page* 1)

total of 4,188 in all classifications, Warner revealed. Since the beginning of the year Warner studio personnel has nearly doubled, he said.

Now before cameras are eight features, a 10-year high for Warner, which since last summer has maintained the highest average of production among major studios, and with more pictures slated for starting than for completion next month, the company expects presently to have nine or 10 in work. In April Warner called on the industry for increased activity to solve the double problem of unemployment and entertainment.

"This will not be a sudden spurt or a seasonal peak; we will continue to bend every effort toward maintaining the highest volume of production throughout the year," Warner said.

Colosseum

(*Continued from page* 1)

made no headway in efforts to organize salesmen in the New York City area, Van Dyke said he and Colosseum attorney David Beznor planned to confer here over the weekend with several local salesmen in an attempt to get a New York unit started. He felt the results of the company-wide elections will stimulate enthusiasm among salesmen here. In addition to Loew's, the other companies whose salesmen chose the Colosseum are: Warners, Monogram, Universal, Republic, Columbia, RKO Radio, 20th-Fox, United Artists, Eagle-Lion and Paramount.

Rodgers Promotes 4

(*Continued from page* 1)

nedy, who has resigned to run a theatre which he recently purchased.

Also, Vincent Flynn, acting manager at Omaha during the illness of McGlynn, has been appointed assistant manager at Milwaukee, and Harry Buxbaum, formerly a salesman at Washington, has been named assistant manager at San Francisco.

'Illegals' Screening Set

A special press screening will be held tomorrow afternoon at 20th Century-Fox here of "The Illegals," produced, directed and written by Meyer Levin. The film will be distributed by Mayer-Burstyn.

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$1,200,000 Theatco Action Is Settled

SAN FRANCISCO, June 27.—Out-of-court settlement of the $1,200,000 anti-trust suit brought by Theatco, Inc., against circuit and distributing companies, was disclosed by Ben Levin, head of Theatco, and operator of the Empire Theatre.

Although attorneys would not disclose the amount of damages agreed upon, defense attorney Theodore Roche indicated it was less than settlements reached in similar Eastern suits. Some of these have been settled for one-third of the amount sought. In addition to the damage settlement, defendants agreed to follow a new pattern for first-run release.

Harold Faulkner, attorney for the plaintiffs, said, "The ruling is satisfactory to the small operators, and is as binding as any contract."

Undetermined was Theatco's demand that Fox West Coast be restrained from ever building or acquiring theatres West of Twin Peaks in San Francisco, and that it be forced to divest itself of stock in certain other theatres, including United California Theatres, Inc.

Discontinuance of Cryptix Ordered

CINCINNATI, June 27.—Standard Cryptix numbering system, for use in numbering theatre tickets as a substitute for conventional figure numbering, installed in a number of theatres in the Cincinnati area, should not be used, according to the Cincinnati district U. S. tax office. At the same time the office requested each theatre to advise it when it would be practical for them to quit using Cryptix tickets. Willis Vance, of Cryptix and a Cincinnati exhibitor, reports. Vance said that most exhibitors feel the Government is being hasty in making this decision in light of the court controversy on the matter. Vance is making a test case by continuing to use the system in his theatre.

Actress Sues Col., Small

LOS ANGELES, June 27.—Janet Blair has filed a Federal Court suit here, asking $250,000 damages from Columbia and Edward Small Productions for alleged violation of her contract, now terminated, under which she was assured co-star billing with Red Skelton in "The Fuller Brush Man."

Counter-Order Is Approved by Court

A proposed counter-order on the U. S. Supreme Court's decision in the Paramount anti-trust case, submitted to U. S. District Court here on Wednesday by the defendants, was signed and approved on Friday by Judges Augustus N. Hand and Henry W. Goddard. At the same time, the jurists rejected two Government orders, one on the Supreme Court's mandate, the other on a motion for injunctive proceedings. The defendants' counter - order covers both mandate and motion.

Conciliation

(*Continued from page* 1)

that its eventual success may recommend it as a pattern to be followed elsewhere," Berger said.

The attempt at mediation stemmed from a letter to Berger from Andrew W. Smith, Jr., 20th-Fox general sales manager, in which the latter cited trade press reports that Berger intended to encourage damage suits on a "wholesale" basis. Smith suggested that before any court action be taken the possibilities of round-table discussions be considered.

Sees Adoption by Others

Berger, in his reply, expressed the opinion that an "honest effort" on the part of 20th-Fox will "do away with 99 per cent of brewing litigation." He said he felt certain of the success of the program if given a fair trial and added the company might do well to expand the policy. He said further that the program's success undoubtedly would mean its adoption by other distributors.

(A canvass of other distributors in New York at the weekend showed that none has any immediate plans for such an undertaking. At M-G-M it was said that the company has long since encouraged exhibitors to take any grievances to the company. M-G-M's exhibitor relations department is in existence to a large part for this purpose, it was said.

Minneapolis Meeting Called

The exchange of letters led to a Minneapolis meeting attended by Smith, Berger, Stanley Kane, NCA executive director; Martin Moskowitz, executive assistant to Smith; Jack Lorentz, Central division sales manager; Moe Levy, Minneapolis branch manager, and Sam Shain, director of exhibitor and public relations for distribution.

North Central Allied's committee members are E. L. Peaslee, chairman, and Henry Green and Ted Mann. Alternates are Jack Wright, George Granstrom, and one yet to be named. Kane will serve as counsel.

Para. Plans Drive-in Near Poughkeepsie

Plans are under way here for the construction of a 600-car drive-in on a site owned by Paramount outside of Poughkeepsie, N. Y. The theatre will be operated by Netco Theatres, Paramount affiliate of which Harold Royster is general manager.

52 Anti-trust Suits For $46,755,000

Paramount president Barney Balaban's annual letter to company stockholders discloses that 52 anti-trust suits have been brought by exhibitors against distributors in some of which money damages were demanded, while in others injunctive relief against clearance or a right to an earlier run of pictures was sought. In those suits in which a money judgment is sought, the total amount claimed is $46,755,000. To date, approximately $1,000,000 dollars has been paid out by Paramount in expenses and in judgments in connection with such suits. Attention of the stockholders was called to the item "Reserve for Contingencies" on the company's balance sheet in the amount of $9,711,327. Balaban stated that this reserve had been created out of past earnings for all contingencies, possible liabilities from judgments against the corporation being only one of them.

Goldman Demands

(*Continued from page* 1)

tained that according to the recent Supreme Court ruling in the industry anti-trust suit "competitive bidding is an inadequate remedy." If this move is unsuccessful, Goldman's petition continued, he will seek an injunction to bar companies from cross-licensing in this area.

US to Ask Injunction In Griffith Case

OKLAHOMA CITY, June 27.—Herbert Bergson, assistant Attorney General, has told the U. S. attorney for Western Oklahoma to set in motion steps which will give the Government an injunction July 1 to prevent the Griffith circuit from acquiring or disposing of financial interests or theatres involved in the Government anti-trust suit. Bergson said the action is in line with the Supreme Court mandate on clearances and reductions.

One major local exhibitor says reductions started in most cases prior to the Griffith case, with deluxe second-run clearances beginning locally more than a year ago. Two other exhibitors said there have been no reductions as far as it concerned them.

SGP Directors Hold Meeting in Chicago

CHICAGO, June 27.—Routine business matters were discussed at a two-day board of directors meeting of Screen Guild Productions which ended here on Friday. John J. Jones, SPG president, presided. In addition to 21 franchise holders, among those attending were: F. A. Bateman, Western sales manager; Arthur Greenblatt, Eastern sales manager, and Robert Lippert, vice-president. Board members present were Al Dezel, Jack Engel, Bert Stern, John Franconi, J. Francis White and A. Lockwood.

Sensational 150-plus day-and-date engagements now establishing box-office highs throughout Midwest as LOIS BUTLER, America's new young singing sensation, captures all hearts in Eagle Lion's "MICKEY," in Cinecolor!

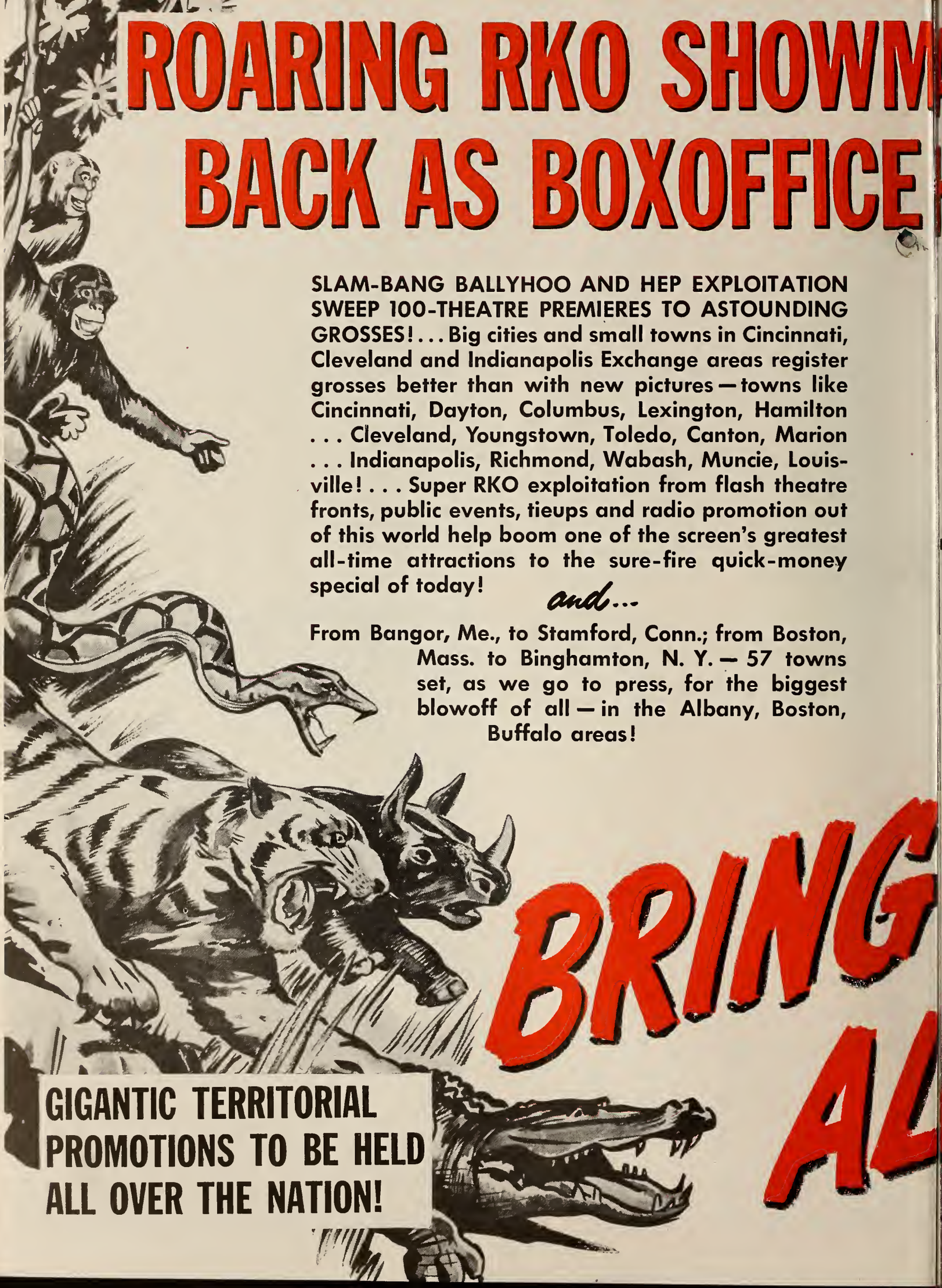
HEARING IS BELIEVING! We'll send you, absolutely FREE, Lois Butler's latest Capitol recording, "Dreams in My Heart." Write, wire or phone Exploitation Dept., Eagle Lion Films, 165 W. 46th St., New York 19, N.Y.

ROARING RKO SHOWM
BACK AS BOXOFFICE

SLAM-BANG BALLYHOO AND HEP EXPLOITATION SWEEP 100-THEATRE PREMIERES TO ASTOUNDING GROSSES! . . . Big cities and small towns in Cincinnati, Cleveland and Indianapolis Exchange areas register grosses better than with new pictures — towns like Cincinnati, Dayton, Columbus, Lexington, Hamilton . . . Cleveland, Youngstown, Toledo, Canton, Marion . . . Indianapolis, Richmond, Wabash, Muncie, Louisville! . . . Super RKO exploitation from flash theatre fronts, public events, tieups and radio promotion out of this world help boom one of the screen's greatest all-time attractions to the sure-fire quick-money special of today!

and...

From Bangor, Me., to Stamford, Conn.; from Boston, Mass. to Binghamton, N. Y. — 57 towns set, as we go to press, for the biggest blowoff of all — in the Albany, Boston, Buffalo areas!



BRING
AL

GIGANTIC TERRITORIAL PROMOTIONS TO BE HELD ALL OVER THE NATION!

ANSHIP BRINGS 'EM
HISTORY REPEATS ITSELF!

GRAND THEATRE, CINCINNATI

FRANK BUCK'S
ORIGINAL

'EM BACK
IVE

Directed by
CLYDE E. ELLIOTT

RKO RADIO PICTURES

RE-RELEASE

TRAILERS

are your BEST BUY *in*

ADVERTISING

NATIONAL *Screen* SERVICE

PRIZE BABY OF THE INDUSTRY

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 125 | NEW YORK, U.S.A., TUESDAY, JUNE 29, 1948 | TEN CENTS

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20th-Fox Set To Expand Its Conciliation

Smith to Consider All Exhibitor Bids for Plan

Twentieth Century-Fox is ready and willing to consider expanding its new conciliation plan, which had its origin in Minneapolis last week in a joint effort with North Central Allied, to any territory which wants it, Andrew W. Smith, Jr., 20th-Fox general sales manager, declares.

At the same time, Smith said he is convinced the program will go a long way toward resolving exhibitor-distributor issues out of court. "It has a good chance of succeeding," he said. Equally optimistic is Benjamin N. Berger, president of the Allied unit, which, in carrying out its part of the program, has appointed a three-man grievance committee to hear com-

(*Continued on page 6*)

Lippert Succeeds Jones in SGP Post

HOLLYWOOD, June 28.—Screen Guild Productions president John J. Jones today announced his resignation from that post to devote himself henceforth to his Chicago exhibition interests, retaining the Chicago and Indianapolis SGP franchises and membership on the SGP board.

Executive vice-president Robert L. Lippert succeeds Jones in the presidency; second vice-president Arthur

(*Continued on page 6*)

Delaware Clearance Is Under Review

In accordance with the practice of the defendants in the Paramount anti-trust case, of making clearance adjustment wherever called for under provisions of the U. S. Supreme Court decision, major distributors are reviewing or have reviewed the clearance situation in Wilmington, Del. Up to now the city has enjoyed clear-

(*Continued on page 6*)

UJA Testimonial to Mayer Here Tonight

Hundreds from all branches of the amusement industry will gather at the Hotel Astor here this evening to pay tribute to Louis B. Mayer, M-G-M production head, in conjunction with the 1948 campaign of the amusement division of the United Jewish Appeal of Greater New York.

Co-chairmen of the testimonial are Barney Balaban, S. H. Fabian and Emil Friedlander. Industry attorney Louis Nizer will be toastmaster.

1st-Runs Pick Up on B'way

A number of Broadway first-runs are enjoying improved business this week. Three factors are said to account for the spurt: rainy weather, an influx of out-of-towners for the Louis-Walcott bout and vacations and school holidays. However, not all first-runs have picked up.

The Roxy, with "Give My Regards to Broadway" and a stage bill topped by an ice show, is heading for its biggest gross in weeks. On the basis of $105,000 taken in during the first five days, plus an extra day of the ice show, the new Roxy program's first

(*Continued on page 6*)

To Scold, Not Sue, Para. in Video Row

The 18-station television pool which shared the expense of covering the Republican convention in Philadelphia last week has decided against taking legal action over Paramount Television Productions' pickup of Gov. Dewey's acceptance speech and reproducing it on the Paramount Theatre screen here without authorization.

The Paramount action being "an accomplished fact," National Broadcasting's legal department is said to have advised against a suit since damages necessarily would be involved and the likelihood of a favorable decision is not too strong.

Lazarus Will Assist Sears

Paul N. Lazarus, Jr., director of advertising-publicity of United Artists since 1943, has been named executive assistant to UA president Gradwell L. Sears.

Paul Lazarus, Jr.

The post is a newly - created one, to provide a more effective liaison between the UA president and the sales, advertising and administration policies of the company.

Lazarus, 35, has been in the industry since 1933, when he joined Warner Brothers following his graduation from Cornell. In 10 years with that company he rose from an assistantship

(*Continued on page 6*)

20th's 2nd Quarter Seen Ending Deficit

The high level of 20th-Fox business recorded in the "Andy Smith Month" campaign during June will result in a second-quarter revenue that will eliminate a deficit in the first three months of the year, it is understood.

The showing during the month is said to have made it possible for the company to earn for the second quarter of the year an amount representative of the highest first six months'

(*Continued on page 6*)

Paramount Frees 8 In Brandt Action

Paramount has asked permission to eliminate eight defendants from its $563,265 percentage action against Brandt Theatres and some 160 other exhibitors and officers of exhibitor corporations and has sought to replace these with eight new defendants.

The distributor's attorneys, Phillips, Nizer, Benjamin and Krim, moved in New York Supreme Court yesterday

(*Continued on page 6*)

US Expects a Report on UK Quota This Wk.

Will 'Jiggle' London If None Is Forthcoming

WASHINGTON, June 28. — The State Department hopes to get its report on the British screen quota revision from its London Embassy sometime this week, but all indications are that quite a bit of time will lapse after that before a decision is made on whether the Department will make a formal protest or ask Great Britain to enter negotiations.

"We hope to get something later this week," one Department official said. "If we don't have a report by Wednesday, we'll probably jiggle London's memory. But after that we'll just let things take their course. When you discuss spiritual violations you move very carefully. It'll be some time before we decide."

This official indicated that a formal State Department answer to Motion Picture Association of America president Eric Johnston's protest letter will

(*Continued on page 8*)

Cole to Quit Top Texas Allied Post

DALLAS, June 28.—Allied Theatre Owners of Texas directors were called into special meeting by president H. A. Cole to hear Cole disclose that he would no longer serve as head of the unit following the next annual convention, set for November 1-2.

Cole told the directors that the unit has been a one-man affair too long,

(*Continued on page 6*)

Exhibitors Told to Claim Video Rights

WEST END, N. J., June 28.—Exhibitors must assert their rights to television or they will be breaking their backs, Paul Raibourn, Paramount vice-president in charge of television, told the first day of the 29th annual convention of Allied of New

(*Continued on page 6*)

MR. BLANDINGS BUILDS HIS DREAM HOUSE a smash! at the Albee Theater, Brooklyn SRO of Course!

Personal Mention

CHARLES M. REAGAN, Paramount distribution vice-president, is due here from the Coast.

•

HENRY A. LINET, Universal-International Eastern advertising manager; AL HORWITS, Eastern publicity manager, and CHARLES SIMONELLI, Eastern exploitation manager, were in Philadelphia yesterday from New York.

•

JACK COHN, Columbia vice-president, accompanied by A. SCHNEIDER and LEO JAFFE, will leave here tomorrow for the Coast. A. MONTAGUE and JOSEPH MCCONVILLE will leave here on Friday to join them.

•

DORE SCHARY, RKO Radio production head, has cancelled his trip to New York from the Coast. PERRY LIEBER, studio publicity chief, is here from Hollywood.

•

FRED MEYERS, Universal-International Eastern division sales manager, will be in Cleveland today and in Pittsburgh on Thursday from New York.

•

GEORGE HICKEY, M-G-M West Coast sales chief, will leave here today for his headquarters, with stopovers at Denver and San Francisco.

•

J. ROBERT RUBIN, M-G-M general counsel and vice-president, returned to New York yesterday from Durham, N. C.

•

LEO F. SAMUELS, Walt Disney Productions sales executive, has left New York for Atlanta and Dallas.

•

CAROL BRANDT, M-G-M Eastern story head, will return here today from the Coast.

•

LEONARD W. BROCKINGTON, vice-president of Odeon Theatres of Canada, is in England from Toronto.

•

ABEL GREEN is due back here today from Europe on the *SS Queen Elizabeth.*

•

RUDY BERGER, M-G-M Southern sales manager, is due here today from Washington.

•

LEO SELIGMAN, Favorite Films treasurer, is in Toronto from New York.

Coyne Not Severing All TOA Connections

Robert W. Coyne will continue as a member of the executive committee of the Theatre Owners of America, as well as consultant, after his resignation as executive director becomes effective, about July 15. He has tentative plans for a New England vacation, to return here about Sept. 1 to assist in arrangements for the organization's convention in Chicago on Sept. 24-25.

Insider's Outlook

By RED KANN

THIS becomes a slight adventure outside celluloid boundaries. David Kay, president of Shell Products Co., Inc., of New York, sees it as his public duty to pay for advertising in New York newspapers in which he gets off his chest his views of various problems besetting this harried world.

In pursuit of such a program, the other day, his byline led off comment on a letter from Harry Rowson, pioneer of the British industry, recently published in this column. Rowson had argued quietly enough against a public boycott of English films here on the ground this might excite enough British opinion to strike for a complete elimination of U. S. pictures from their most important overseas market. In rebuttal, we remarked the actions of individuals—many, perhaps—should not be misunderstood in London as necessarily reflecting the attitude of the American people at large. More emphatic was the rebuttal which made it clear the organized industry here was not party to such a campaign.

■

Kay, who is a most discerning person in our book because he saw fit to describe us as "a celluloid oracle in filmdom," nevertheless accuses us of having gone diplomatic by trying to pour oil on troubled British waters. He believes the boycott is gathering momentum and will "spread until that squirming government of yours, [Rowson's] wakes up." Kay may turn out to be right, but we reserve the right to think otherwise.

Joe Skeptic, always down-to-earth, seems to have placed a convincing digit on the whole situation with a few choice observations:

"Boycott against British films? Why take the trouble? Their films are boycotting themselves. Anyone who has bothered to sit through most of the recent imports knows it."

■

The 45 per cent quota on British exhibitors, already approved by the House of Commons and up for consideration in Lords today; has set in motion a chain reaction against Britain, her films and, chiefly, Arthur Rank, which continues to blaze with indignation and intensity. It has revived that executive school of thought which looked upon the Johnston-Mulvey acceptance of the 75 per cent *ad valorem* tax settlement with little enthusiasm and argued it would have been better to cut off shipments until the wails of British exhibition crescendoed into a roar which the Labor Government could not ignore.

■

It was responsible for substantial opinion giving considered thought to a complete withdrawal from the English market until the realistic cousins there appreciate how realistic the realisms can be. This movement is understood to have been spearheaded by Grad Sears who temporarily abandoned hospitalization to attend a meeting of the MPAA at which the situation was discussed. He failed to win his point, largely due to counter argument set up by Spyros Skouras. But between the two extremes of the situation Barney Balaban walked out of the session as an expression of his disapproval of Skouras' exhortations of moderation and was persuaded to return only at Sears' behest.

This points up a split which may show up again any moment now.

■ ■

Reverting to a viewpoint recently emphasized and thereafter ignored, Andy Smith, Jr., general sales manager of 20th-Fox, is telling his U. S. selling crew:

"Our hopes that the foreign market would substantially improve this spring have failed to materialize. Rather, conditions are seemingly more complicated than ever and calculations of only several months ago furnish absolutely no barometer of what may be earned abroad in the light of recent Governmental and other developments in the past few weeks.

"With the erasure of millions of dollars annually from foreign sources, the exhibitor must be prepared to take less and pay us proportionately more than he has in the past—if he expects us to continue to provide him with attractions of strong power. The exhibitor must be satisfied with a lower percentage of profits. . . . There will be no security for American companies until they have made themselves domestically independent of whatever happens in other lands."

Hoffman on His Own

George Hoffman, who for 12 years handled advertising and publicity for Arthur Mayer at the Rialto Theatre here, and who left there recently when new management took over, has returned from a stay at Virginia Beach, and started his own business.

Vaughan Joins Cowan

HOLLYWOOD, June 28.—Al Vaughan has resigned as publicity director of Sierra Pictures to join Lester Cowan Productions in a similar capacity.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
Rockefeller Center
BING CROSBY JOAN FONTAINE
in "THE EMPEROR WALTZ"
Color by TECHNICOLOR
A Paramount Picture
SPECTACULAR STAGE PRESENTATION

Paramount presents
JEAN ARTHUR MARLENE DIETRICH JOHN LUND in "A Foreign Affair"
in Person JO STAFFORD plus GEORGIE KAYE • THE LANE BROTHERS Extra SAM DONAHUE And His Orchestra
PARAMOUNT TIMES SQUARE MIDNIGHT FEATURE NIGHTLY

JOHN FORD'S MASTERPIECE "FORT APACHE"
IN PERSON LENA HORNE Special! PAUL WINCHELL Extra! SKINNAY ENNIS and his ORCH.
COOL CAPITOL B'way & 51st St.

Walt Disney's greatest star-and-song-show! "MELODY TIME"
COLOR BY TECHNICOLOR!
Released thru RKO Radio Pictures
ASTOR B'WAY & 45th ST.

RKO presents 'FIGHTING FATHER DUNNE' starring PAT O'BRIEN as FATHER DUNNE
Extra LOUIS vs WALCOTT FIGHT FILMS
COOL VICTORIA B'WAY at 46th ST.

JACK CARSON • JANIS PAIGE
DON DeFORE and DORIS DAY
"ROMANCE ON THE HIGH SEAS"
Color by TECHNICOLOR
A MICHAEL CURTIZ PROD'N
IN PERSON BOB CROSBY AND THE CLUB 15 ORCHESTRA
Plus GALA SHOW
WARNER BROS. STRAND
OPENS 9:30 AM LATE FILM AT MIDNIGHT
LATE STAGE SHOW 10:15 PM • B'WAY AT 47th

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THE TWO HOTTEST NAMES IN GOLF... IN THE SEASON'S TOP SPORTS SHORT!

WHAT A PHYSIQUE

WHAT A TECHNIQUE

FRANK "Muscles" STRANAHAN,
British Amateur Champion, U.S. Tournament Ace!

LOUISE SUGGS,
U.S. and British Women's Amateur Champion!

A new RKO Pathe scoop to delight the growing host of golfing millions — and every other sports lover. The most thrilling golf shots ever caught by camera. RELEASED NOW at season's peak!

An RKO Pathe
SPORTSCOPE

"MUSCLES and the LADY"

Produced by JAY BONAFIELD
Distributed by
RKO Radio Pictures, Inc.

RKO RADIO PICTURES

Plenty of ACTION ON

FEUDIN', FUSSIN' AND A-FIGHT

Set for a world premiere over the Tri-State Circuit, with fun, hilarity and plenty of space-grabbing ballyhoo stunts surrounding personal appearances of Hollywood stars... real showmanship action that will establish the selling pattern for the rest of the country.

UNIVERSAL-INTERNATIONAL presents

DONALD O'CONNO

IN **FEUDI**

with PENNY EDWARDS · JOE BESSER · Scree

Directed by GEORGE SHERM

N'

A Word from Bill Scully about Feudin', Fussin' and a-Fightin'!

"Don't take our word for the entertainment value of FEUDIN', FUSSIN' AND A-FIGHTIN'. I think you owe it to yourselves, to the business and to your customers to screen this picture for an audience before you book it.

"This is the best way to prove to you that FEUDIN', FUSSIN' AND A-FIGHTIN' is a great audience picture."

MA 'n PA KETTLE OF "THE EGG AND I" *Together Again!*

MARJORIE MAIN · PERCY KILBRIDE

USSIN' AND A-FIGHTIN'

D. D. BEAUCHAMP from his Collier's Magazine story

r uced by LEONARD GOLDSTEIN

B'way 1st-Runs

(*Continued from page* 1)

week is expected to hit a gratifying $135,000.

Meanwhile, Radio City Music Hall continues to do very big business in the second week of "The Emperor Waltz," plus a stage presentation, with a robust $152,500 due, on the basis of $91,000 grossed Thursday through Sunday. At the Capitol, "Fort Apache," with a stage bill headed by Lena Horne, is heading for a rousing first-week's gross of $120,000.

Elsewhere business varies from so-so to fair, as follows: "Dream Girl," plus Phil Spitalny and his All-Girl Band on stage, Paramount, second and final week, $55,000; "Romance on the High Seas," with Bob Crosby and his orchestra on stage, Strand, first week, $48,000; "Fighting Father Dunne," Victoria, first week, $16,000; "Melody Time," Astor, fifth week, $22,000; "Arch of Triumph," Globe, 10th week, $14,000; "Time of Your Life," Mayfair, fifth week, $22,000; "End of the River," Park Avenue, second week, $4,000; "Lady From Shanghai," Criterion, third week, $20,000.

Second week of "Lulu Belle" at the Rivoli is very slow with only $9,500 expected. Two pictures are in their third and final (five-day) weeks, and are due to wind up as follows: "Summer Holiday," Loew's State, $9,000; "Bad Sister," Winter Garden, $5,000. "Citizen Saint" is expected to give the Bijou only $2,500 in a fifth week. Two new pictures will bow in tomorrow: "A Foreign Affair" at the Paramount, and "Easter Parade" at Loew's State. Winter Garden will be closed today and tomorrow in preparation for the world premiere of "Man-Eater of Kumaon" on Thursday.

Lazarus Promoted

(*Continued from page* 1)

in the press book department to advertising manager and to sales and promotion director, after which he joined Buchanan and Co., advertising agency here, leaving there to become director of advertising-publicity for United Artists.

Coast to coast and overseas, fly world-proved TWA

One airline, TWA, takes you to principal U. S. cities or to Ireland, Paris, Egypt and other key points in Europe, Africa and Asia. When you go, fly by dependable TWA Skyliner with crews seasoned by millions of trans-world miles.

For reservations, call your TWA office or your travel agent

TWA
TRANS WORLD AIRLINE
U.S.A. • EUROPE • AFRICA • ASIA

Set July 6 for FC Tilt on Video Rights

Hearing has been scheduled for July 6 in New York Supreme Court on Film Classics' "show cause" order in connection with its suit against London Films and Hecuba Corp., alleging contract irregularity in the granting of television station WPIX here video rights to 24 Alexander Korda productions. Film Classics instituted the damage action on the ground that no agreement regarding television rights had been made when the contract giving FC seven-year rights to the pictures was signed in December, 1946.

Exhibitors Told

(*Continued from page* 1)

Jersey, meeting at the Hollywood Hotel here.

Citing the injunctions against Philadelphia theatre television use, Raibourn said these are establishing a legal trend which will hurt theatre owners if they don't intelligently combat them. He asserted that if broadcasters are able to maintain all the rights they think are theirs, radio set manufacturers will be chief beneficiaries. The address aroused such interest that president Edward Lachman announced that the closed Eastern regional tomorrow morning would be devoted mainly to television.

'Industry May Harness Video'

Some other points Raibourn made were that there will always be important television events to keep people at home; the industry may be able to harness television; that since television shows must be negotiated individually with tremendous complexity, new films probably would not be used on television; and that Paramount itself is being sued for $100,000 in Los Angeles for running an old independent picture.

Raibourn observed that to use a picture now on television would cost up to $5,000 per picture in investigators' fees alone.

Lachman opened the convention, calling the fight against taxation continuous and noting that the fight against 16mm. competition has driven it from taverns and grocery stores. The Supreme Court decision in the industry anti-trust suit, he said, will end oppression long a part of the industry and added that members are watching for decree violations. He called the new North Central Allied-20th-Fox local grievance committee plan "an industry model."

'Distributors More Cooperative'

William Ainsworth, National Allied president, said the few distributor representatives with whom he has talked seemed cooperative since the court decision and added he would reserve additional comment until Wednesday. Other speakers today were: Wilbur Snaper, convention chairman, and Meyer Leventhal, Eastern regional vice-president.

Lippert, Jones

(*Continued from page* 1)

Lockwood takes Lippert's post. Jones a month ago called a press conference for the purpose of denying a report he would resign.

Jones will remain at SGP headquarters here for several months to act in an advisory capacity while Lippert familiarizes himself with the presidency.

Delaware Clearance

(*Continued from page* 1)

ance over all other Delaware communities.

It is understood that the distributors propose to make changes in clearances in Delaware situations where it is felt an injustice prevails and just cause for a complaint exists.

The big circuits operating in Wilmington are waiving, if they have not already done so, clearance over situations considered to be a reasonable distance removed from that city. No set pattern will be followed. All changes in clearance will be predicated on conditions in each situation.

Fourth Clearance Complaint Since Decision Is Filed

Another clearance complaint has been filed with the American Arbitration Association, bringing to four the number filed since the Supreme Court ruled in the industry anti-trust suit on May 3, the AAA reported here.

Also the third complaint to be docketed with the Detroit tribunal in the same period, it was filed by Priscilla Theatre, Detroit, against all five distributor-defendants, and holds that clearance granted to East Side Theatre, Detroit, is unreasonable in compelling the Priscilla to wait on an average of between 10 and 30 days following availability to East Side. Complainant claims also that the two are not in the same competitive area, wants clearance abolished and new clearance fixed within the competitive area at seven days after the Your Theatre, or 14 days after the Rialto, both in Detroit.

Para.-Brandt Action

(*Continued from page* 1)

for permission to serve proposed amended and supplemental summonses and amended complaints to alter the list of defendants and correct certain "defects and mistakes" in the original complaint. The court said it will hold a hearing on the motion on July 6.

The defendants which Paramount would eliminate are: Andear Amusement, Anwell Amusement, Mangood Amusement, Rogel Amusement, Ray V. Wemple, Richie Amusement, Lanroc Operating Corp. and Moe Goldman.

New defendants which the plaintiff wishes to include in connection with all or some of the causes cited in the original complaint, are: Milroy Theatre Corp., The 62 Delancy Street Theatre Corp., Safeway Corp., Bell Theatres, Inc., Traymore Operating Corp., R. and M. Operating Corp., A. M. Rapf and Michael Rudin.

Cole to Quit

(*Continued from page* 1)

and he urged a more active participation of all directors, officers and members in association matters. He offered to continue actively as the state representative in national Allied matters and to continue to work with both the national and local boards.

Decision was reached to inaugurate a new election procedure. Members in districts will nominate a director for the district and the directors in turn will elect officers. In the interim organization was started for the November convention by the naming of Phil Isley to be chairman of interim activities and to preside at the convention. Rubin Frels was made finance chairman and C. D. Leon, entertainment chairman.

Fifth-Walnut Verdict Expected This Week

A verdict in the Fifth and Walnut Amusement's $2,100,000 triple-damage anti-trust suit against distributors may be forthcoming this week in U. S. District Court here, it appeared yesterday.

Attorneys for plaintiffs and defendants completed summations before a jury yesterday, and Federal Judge Vincent L. Leibel's charge to the jury may be made today.

Four Distributors in Georgia Trust Action

ALMA, Ga., June 28.—Warner, Eagle-Lion, Republic, Monogram Southern Exchanges and local theatre operator L. A. Stein are defendants in an anti-trust action for damages of $21,000 filed by the Alma Amusement Co. Plaintiff charges a conspiracy which resulted in his inability to obtain top-grade product.

20th's Conciliation

(*Continued from page* 1)

plaints by members. The group, which consists of three alternates as well, thereupon is to endeavor to mediate differences with 20th Century-Fox officials.

In no case is an exhibitor to be deprived of his legal rights, Smith stressed.

One condition of introducing the plan around the country, he said, is that all exhibitor organizations in any one area must have representation. In any territory where Allied and Theatre Owners of America have members, both groups must have spokesmen on the grievance board. Minneapolis being predominantly an Allied stronghold, only that organization will deal with 20th-Fox, Smith said.

Smith said his faith in the success of the plan lies importantly in its localized nature. Exhibitor groups have wanted such a system, he added. He said that he believes previous efforts to settle disputes failed because they were on a national basis, "with too many different interests involved."

20th's Quarter

(*Continued from page* 1)

revenue in the history of the firm, to consume more playing time in the quarter than in any previous corresponding period and improve playing time and contractual terms in every film classification. It is understood that the Andy Smith month drive helped to raise the volume of feature sales and bookings above the corresponding period of 1946, which was a record year.

NATURALLY
you're going to play
"TEXAS, BROOKLYN and HEAVEN"
sent from UA

CRITICS HAIL . . . DAWN of DORIS DAY!

"Michael Curtiz's discovery, Doris Day, a lass who is something to rave about"
. . . HOLLYWOOD REPORTER

"Devastating Doris Day Socko in First...Day is going to spell dough at the box office from here on out!"
Film Daily

"Doris Day is a brilliant personality...something new and special."
Motion Picture Daily

"A charming and talented newcomer, Doris Day...a winner any way you look at her."
Daily Variety

"Doris Day...a sock film personality!"
Variety

In "Romance on the High Seas". . . A MICHAEL CURTIZ PRODUCTION

Photographed in Color by TECHNICOLOR

(*A Warner Bros. Release*)

'Letter to a Rebel', Industry-Sponsored

Benefits of capitalism and the primacy of the American Way are described in "Letter to a Rebel," a This Is America subject made by RKO Pathe with the sponsorship of the Motion Picture Association of America. The subject is the second in the series sponsored by the MPAA to illuminate the essential aspects of free enterprise in America. Each of the major companies is expected to develop a subject on a similar theme.

As explained at a trade press screening here by David Palfreyman, MPAA director of theatre services and trade relations, these subjects are intended to "improve the public relations of the industry and show how it can perform a public service."

"Letter to a Rebel" employs the dramatic technique of having a small town country editor write a letter to his radical son who has written an article for his college paper using such leftish shibboleths as "mean and crafty capitalists," etc. The father's letter takes up in simple, understandable terms the vital facts of capitalism, and private enterprise, depicting their workings and the benefits which "rebel" sons derive from them, in scenes of every-day life in a typical small city, Monroe, N. Y. Townspeople comprise the cast, for the most part, only three professionals being used in the picture. It is a well-done, effective presentation of a vital facet of the American Way, deserving of anyone's screen. It carries a foreword by Eric Johnston, MPAA president.

The subject, running 17 minutes, can be spot-booked by exhibitors separately from the series by arrangements with RKO Radio. It was produced by Jay Bonafield, directed and photographed by Larry O'Reilly and supervised by Phil Reisman, Jr.

M.H.

Louisiana Withdraws Two Film Tax Bills

WASHINGTON, June 28.—Two film tax bills introduced in Louisiana's special session have been withdrawn, according to Jack Bryson, Motion Picture Association of America legislative representative. The bills would have taxed film rentals and gross receipts. Still pending is a general sales tax bill.

Special sessions in Louisiana and Wyoming are the only legislatures now sitting, with New Jersey scheduled to return on August 30. Massachusetts adjourned June 21. The industry has a clean slate in all state legislatures so far this year, Bryson stated.

McDonald is Labor Aide

Charles B. McDonald, RKO division manager, has been assigned to assist Leslie Thompson in charge of labor relations for the RKO circuit here, while McDonald's former duties will be absorbed by other New York division managers. McDonald will make his headquarters here.

20th-Fox Preview in DC

An audience of officialdom and theatre executives will be on hand tomorrow evening when 20th Century-Fox previews "Street with No Name" at the Statler Hotel in Washington. Spyros P. Skouras, president of 20th Century-Fox, and J. Edgar Hoover, FBI director, will be hosts.

Review

"Canon City"

(*Eagle-Lion*)

SHOWMANSHIP values, dramatic suspense and action, authenticity of story and all-around entertainment qualities rate high in "Canon City," a splendid production of its kind, by Bryan Foy, directed by Crane Wilbur.

The brutalities and grimness of prison life and crime are restrained, unlike so many pictures concerning jailbirds. Stressed, instead, is an effective lesson on crime-does-not-pay, one of the best of its type.

Exploitation-wise, showmen can turn to the screaming headlines of last December which told how 12 desperate convicts escaped from Colorado State Penitentiary one blizzardy night, and were either all captured or killed within 60 hours by posses led by Warden Roy Best, famed in the West. Its authentic aspects bring in Warden Best himself, many scenes from the "pen's" cellblocks and jailyard and many of the inmates as extra-players. Especially noteworthy is John Alton's photography—he filmed "T-Men" — and the dialogue by director Wilbur. Performances, too, are splendid, particularly those of Jeff Corey and Scott Brady.

Running time, 82 minutes. General audience classification. Release date, July 6.

Convertibility Bill Is Now Federal Law

WASHINGTON, June 28.—President Truman today signed the foreign aid appropriations bill, which bears $10,000,000 for the film industry and other information media.

The funds are to guarantee the convertibility of costs of sending films, books, newspapers and magazines into Marshall Plan nations during the next year. A similar plan for the Far East may be worked out under funds appropriated for a Far Eastern recovery program.

Truman has also signed the one-year extension of the Reciprocal Trade Agreements pact, but criticized the measure for being only one year, instead of the three years sought, and for giving the Tariff Commission authority to suggest limits on new tariff cuts or increases.

See ECA Pacts Fitting Film Industry Needs

WASHINGTON, June 28.—The Economic Cooperation agreements between the U. S. and each of the Marshall Plan nations—the first two were signed today with Italy and Eire—contain several sections that may come in handy for the film industry.

The State Department released today a model pact. One section binds the European country to cooperate in reducing quotas and other restrictive devices. Another promises consultation on to any projects proposed by American firms "with regard to which the American Government may appropriately make guaranties of currency transfer." Still another section stresses the importance of full publicity on the progress of the program, and pledges the European government to aid this dissemination.

'Fric-Frac' Rated 'C'; Legion Reviews 12

Oxford Films' "Fric-Frac" (French) has been placed in Class C by the Legion of Decency. Classified as A-I are: "Beyond Glory," Paramount; "Fighting Back," 20th Century-Fox, and "Mickey," Eagle-Lion.

Placed in A-II were the following eight: "Canon City," Eagle-Lion; "The Checkered Coat" and "The Street with No Name," 20th-Fox; "I, Jane Doe" and "King of the Gamblers," Republic; "Jinx Money," Monogram; "Key Largo," Warners, and "Man-Eater of Kumaon," Universal-International.

Palestine Has Many Film Plans: Levin

Palestine is very motion picture conscious with many plans for the construction of production centers now under consideration, Meyer Levin, who has just made "The Illegals", asserted here yesterday. Levin said that Oved Ben Ami, mayor of Nathanyah, has plans for a film center to cost $4,000,000. As soon as things "quiet down" in Palestine, production should start in earnest, Levin said.

"The Illegals," a documentary drama about the underground route from Europe to Palestine, was made at the low cost of $25,000, he said. The development, cutting and other laboratory work was done in Paris, where, Levin said, costs are about one-third less than in Hollywood. The films, paid for by Americans for Haganah, will be distributed here by Mayer-Burstyn.

Scully, Bergman to Europe Tomorrow

William A. Scully, Universal-International vice-president, and Maurice A. Bergman, Eastern advertising-publicity director, will sail for England aboard the *S.S. Queen Elizabeth,* tomorrow for conferences with officials of the J. Arthur Rank organization.

They expect to see some of the Rank productions allocated to U-I for American release, including "Daybreak," "Snowbound," "Good Time Girl," "Dulcimer Street," "The Passionate Friends," "The Blue Lagoon," "Woman Hater" and "Christopher Columbus."

UK Quota Report

(*Continued from page* 1)

probably go out late today or tomorrow. "It'll just tell him what he already knows from the press reports of Under-Secretary of State Robert A. Lovett's conference, however," this official said. "We'll tell Mr. Johnston that we have told our Embassy to express our concern, and are now awaiting a full report."

House of Lords action on the 45 per cent quota order is due today. Approval of the order by Lords is regarded here as a certainty in view of the absence of any strong opposition to it in the House of Commons, which already has approved it.

RKO Fight Film A Superb Job

Audiences in just about every part of the world are currently viewing the Joe Louis-Joe Walcott fight picture. As produced by RKO Pathe, it makes a superb sport film, glowing in every inch of its footage with professional competence.

It offers an interesting study in contrasts with the television account of the bout that was flashed on the 15 x 24 foot screen of the Paramount Theatre here the night of the bout. As successful a job as the television account was, it, in many respects, came out second best to the motion picture account. For one thing, the film was shown in sharper focus and captured better close-ups. The 11th round, in which Louis finally caught up with his fleet-footed opponent and administered his battering assault, is shown in a clearly visible angle, and is then shown again in slow motion.

On the television screen, the savage flurry of blows that dropped Walcott were partially obscured by Louis' back. The motion picture account skirts briskly over the less eventful rounds, sparing the non-boxing minded any possible tedium.

Produced by Jay Bonafield, the 18-minute subject includes a dressing room interview with the victor. It also shows some candid shots of such ringside celebrities as Bob Hope, Jack Benny, Eddie Cantor, Joan Blondell, and others.

M.H.

Walsh Remains Aloof In Park Ave. Dispute

Richard F. Walsh, IATSE international president, declined yesterday to arbitrate the projectionist labor dispute at the Park Avenue Theatre here. Walsh said he has assigned "IA" vice-president James J. Brennan to act as negotiator in the clash between Universal-International, operators of the house, and "IA" local No. 306.

Pending resumption of talks, the company and the local have established a "truce," which brought a halt to a projectionists' walkout and threatened counter-action by the company. Prime point of the dispute concerns the number of projectionists to be stationed at the house.

Increases for 56 at RKO Home Office

Wage increases ranging from $5.50 to $20 have been granted some 56 employes of RKO Radio and RKO Theatre Service Corp. in an award handed down by the American Arbitration Association, it was announced here yesterday by the Screen Publicists Guild. The award follows the same pattern set by Warner, 20th Century-Fox and Eagle-Lion, the latter having been settled without arbitration.

Cole Trial for MGM Job Set for Nov. 16

LOS ANGELES, June 28.—Federal Court Judge Leon Yankwich today set November 16 as the trial date for Lester Cole's suit against M-G-M for restoration of his employment which was terminated following House Committee on Un-American Activities hearings in Washington. At the pretrial hearing, Judge Yankwich ruled that the case will be tried with a jury.

FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 126—IN TWO SECTIONS SECTION ONE

NEW YORK, U.S.A., WEDNESDAY, JUNE 30, 1948

TEN CENTS

FILE COPY DO NOT REMOVE

5th and Walnut Trust Suit Won By Defendants

Jury Finds No Evidence Of Conspiracy, Monopoly

A verdict in favor of the defendants was returned in U. S. District Court here yesterday by the jury in the $2,100,000 anti-trust suit brought against the distributors by the Fifth and Walnut Amusement Corp. of Louisville. The jury of 11 men and one woman, after deliberating for nearly four hours, held that there was no evidence of monopoly or conspiracy on the part of the defendants.

Judge Vincent L. Leibell charged the jury for three hours, pointing out that the burden of proof was on the plaintiff. The trial was in progress for about seven weeks.

The plaintiff had accused the defendants of engaging in a conspiracy

(*Continued on page 3, section 1*)

'IA' Bids Lawmakers Attend Convention

Members of Congress who voted for the Taft-Hartley Act were invited yesterday to attend IATSE's international convention as a means of finding out at first hand whether America needs more or less labor-control legislation.

The bid came from Richard F. Walsh, "IA" president. He said Congressmen, the press and public may attend the biennial gathering of the union in Cleveland on August 16. There, he declared, they will find "conclusive proof that the duly selected

(*Continued on page 3*)

Oregon Clearances Have Been Reduced

Portland, Ore., June 29.—In consequence of the recent U. S. Supreme Court decision in the Paramount case, clearance schedules for Oregon theatres have been moved up from seven to 14 days by most film exchanges here.

The advanced playdates, however, have not been enough to overcome the summer slump which finds box-office receipts down by 10 to 15 per cent in this area.

Mayer Feted By UJA Here

Motion Picture Association of America president Eric A. Johnston, Theatre Owners of America president Ted R. Gamble, industry attorney Louis Nizer and James D. McDonald, U. S. representative to Israel, last night cited before a gathering of 1,000 at the Hotel Astor here the industry, public service and philanthropic activities of Louis B. Mayer, production head of M-G-M.

Louis B. Mayer

The occasion was a dinner given by the Amusement industry division of the United Jewish Appeal, under the chairmanship of S. H. Fabian, who heads the amusement group of UJA in the New York Metropolitan area. Gamble was toastmaster.

Johnston presented Mayer with a large illuminated scroll of appreciation in behalf of the industry.

"The story of Louis B. Mayer is the great American story told all over

(*Continued on page 2, section 1*)

Allied Backs 20th's Conciliation Plan

West End, N. J., June 29. — National Allied, through its president, William Ainsworth, and its Eastern units, through their respective representatives, have endorsed fully the local grievance committee plan established by 20th-Fox in Minneapolis in cooperation with North Central Allied, to be made applicable by 20th to other territories.

The Allied action is the first formal organizational approval

(*Continued on page 3, section 1*)

Lachman Accepts Jersey Presidency

West End, N. J., June 29.—Edward Lachman, who has been president of New Jersey Allied for the past two years, was prevailed upon by the organization's membership at today's session of its annual convention to accept re-election. Lachman had

(*Continued on page 3*)

French Reject 25% Tax on Film Imports

Paris, June 29.—The French National Assembly voted today 408 to 183 against a Communist proposal to tax receipts of foreign films in France 25 per cent in order to provide a $3,300,000 subsidy for the French film industry. The Assembly also deferred action on a second bill to set up a tax on French and foreign films according to footage by sending the proposal back to committee for study.

LeSieur Heads UA's Ad-Publicity Dept.

Howard LeSieur, assistant director of advertising-publicity of United Artists since January, 1947, has been named director of that department, it was announced here yesterday by Gradwell L. Sears, president of the company. He succeeds Paul N. Lazarus, Jr., who has been named executive assistant to Sears, as previously reported. LeSieur, with the company since 1933 after five years with the Hanff-Metzger Advertising Agency (now Buchanan and Co.),

Howard LeSieur

(*Continued on page 2, section 1*)

'U' Filming Will Cease in August

Hollywood, June 29. — Universal officially disclosed today that the studio will have no pictures shooting during August, and all personnel whose presence is not required by editing, scoring, or other post-shooting operations, will take vacations during that period. Although the studio points out that the plan was worked out prior to U-I production chief William Goetz's departure for England, it was made possible by a large backlog of completed films, and contemplates a September start on scripts completed during the production lull.

Hollywood observers, however, interpret the arrangement as well timed with respect to possible consequences of an actors strike in August.

Lords Approve New British Quota Order

Swinton Warns It May Encourage Poor Films

London, June 29.—The House of Lords today approved the new 45 per cent film quota order without division, as had been expected. Already approved by Commons, the order is now law, effective next Oct. 1.

Opposition to the order during the debate in the House of Lords was limited for the most part to Lord Swinton, former president of the Board of Trade.

In replying to the opposition, Lord Chorley, government spokesman, stated significantly that while Harold Wilson, Board of Trade president, had attempted to adopt a realistic attitude in establishing the new percentage, the quota had been fixed with the potentialities of the larger circuits in mind.

Lord Chorley admitted that British producers are perhaps unduly optimis-

(*Continued on page 3, section 1*)

Say New U.S. Film Embargo Is Unwise

London, June 29.—That American companies would be unwise to contemplate another withdrawal from the British film market was the unanimous view of the London branch of the Cinematograph Exhibitors Association at its meeting here today.

Holding that the new 45 per cent British film quota is ludicrous, if not tragic, and roundly criticizing J. Arthur Rank, the meeting nevertheless felt it would not only be bad tactics but worse business for Americans to pull out of this market again.

The meeting referred to Rank's insatiable appetite and his "gluttonous

(*Continued on page 3, section 1*)

Canada Will Not Restrict Film Dollars

Ottawa, June 29. — After several months of negotiations between Ottawa and the U. S. industry, it is definitely reported now that the $10,000,000 to $15,000,000 spent annually in Canada on film rentals will continue and no restrictive measures will be adopted by the government to conserve the spending of U. S. film

(*Continued on page 3, section 1*)

Services Are Held For W. G. Underwood

DALLAS, June 29.—Ned Depinet and Sam Dembow, from New York, were among the scores of film industry leaders who attended funeral services here today for William G. Underwood, pioneer in distribution and exhibition. Underwood, who was 72, died Sunday morning in a Dallas hospital after a six-week illness.

Underwood was founder of the Underwood and Ezell circuit, which controls and operates 17 theatres and drive-ins—mostly drive-ins—in Texas, and in which Claude C. Ezell is a partner.

Underwood, who was born in Chicago, moved to Dallas in 1915. He was in the theatre business in Texas for 45 years.

A Mason and a Shriner, Underwood also was a member of the Variety Club of Texas and a member of the Dallas Athletic Club.

Surviving are the widow and a daughter as well as a brother and two sisters. Pallbearers included Depinet and Dembow, Eph Charninsky, Ezell, Lowell Russell and Albert Reynolds.

RKO Directors Set To Meet on Coast

Directors of RKO are scheduled to leave here for the Coast after July 4th to visit the company's studios and to meet Howard Hughes, the company's new controlling head. During their stay in Hollywood the directors will hold their next board meeting, with July 10 as the probable date.

Capra An Alternate For UNESCO Meet

WASHINGTON, June 29.—Producer Frank Capra has been named by President Truman as an alternate U. S. delegate to the third general conference of the United Nations Educational, Social and Cultural Organization, to be held this fall.

LeSieur Promoted

(*Continued from page* 1)

started as advertising production manager. In 1935 he added the duties of house magazine editor, after which he was promoted to sales promotion manager. In 1944 he became advertising manager, from which post he was named assistant director of advertising-publicity.

J. R. Donnelly, Exhibitor

ATLANTA, June 29.—James R. Donnelly, 37, vice-president of the Sevier Theatre Corp., Johnson City, Tenn., died of a heart attack at his home there.

Kriedberg to St. Louis

MINNEAPOLIS, June 29.—Conrad Kriedberg, Selznick Releasing Organization sales manager here, has been transferred to St. Louis for a special assignment.

Personal Mention

LYNN FARNOL, Eastern advertising-publicity director for Samuel Goldwyn Productions, will leave here for the Coast on Friday before starting a vacation in Colorado.

•

SAMUEL WEISS, former Eagle-Lion branch manager in St. Louis, and JOSEPH BOHN, E-L branch manager in Indianapolis, have joined the sales staff of LEE GOLDBERG, Realart distributor in the Cincinnati and Indianapolis territories.

•

JACK OCHS, associated with his father, HERBERT OCHS, in the operation of a drive-in circuit in Ohio and Canada, will be married to GRACE COUDEN on July 24 in Christ of the King Church, East Cleveland.

•

MICHAEL PICCIRILLO, formerly with Loew's Theatres in New York, has been appointed manager of the Center Theatre in Hartford, succeeding JACK SIMONS who is now managing director of the Beacon Theatre here.

•

BERNARD STEWART, manager of the Astor Theatre, Boston, has resigned to go to California. JEFF SULLIVAN, former manager of the Loew's State in Boston, has succeeded STEWART.

•

NANCY SAWYER JACOCKS, daughter of IRVING J. JACOCKS who is treasurer of the MPTO of Connecticut, was married last weekend to JOHN E. TAFT in Banford, Conn.

•

LARRY CAPLANE, manager of the RKO Grand in Columbus, O., will become manager of the RKO Brandeis in Omaha on July 20.

•

PETER PERAKOS of Perakos Theatres in New Britain, Conn., is observing his 41st year in the motion picture business.

•

HAROLD LANCASTER, manager of the Strand in Pawtucket, R. I., and MRS. LANCASTER have become parents of a son.

•

ARTHUR C. BROMBERG, president of Monogram Southern exchanges, has returned to his Atlanta headquarters from New York and Washington.

•

MAURICE KALLIS, Universal-International studio advertising art director, has returned to Hollywood from New York.

•

WALLACE BEERY and his daughter, CAROL ANN BEERY, are in town from the Coast.

•

SAM SCHBOUF, manager of Loew's Poli Lyric in Bridgeport, Conn., is vacationing in Florida.

•

JOE DUMAS, Republic office manager in Atlanta, has returned to his post after several weeks' illness.

•

DEVERAUX BESSIEV, vice-president of Stevens Pictures, Miami, is in Hollywood.

•

R. M. SAVINI, Astor Pictures president, is in Hollywood from New York.

•

F. J. A. McCARTHY, Universal-International Southern and Canadian sales manager, will return to New York today from Atlanta.

•

HAL DAWSON, motion picture representative for Dell Publishing, has been elected managing director for the Association of Screen Magazine Publishers, succeeding HOMER ROCKWELL, president, whose term of office expired on June 1.

•

MOLLIE PRINCE, head of the J. Arthur Rank print traffic department here, will leave New York today for the Coast.

•

ADELE HARRIS, daughter of TED HARRIS of the State Theatre, Hartford, and MRS. HARRIS, was married recently to SAMUEL FEINGOLD of Hartford.

•

MONTY SHAFF, producer of "Man-Eater of Kumaon" has arrived in New York from the Coast for the premiere of the film tomorrow at the Winter Garden.

•

HARRY SCHIFFRIN, formerly with the Warner staff in Buffalo, has become United Artists salesman in New Haven.

•

BEN BARTZOFF, theatre and advertising executive, will open his radio station, WVOM, in Brookline, Mass., shortly.

•

SLOCUM CHAPIN, account executive for American Broadcasting radio sales, has been named Eastern sales manager for ABC Television.

•

AL BRANDON, former M-G-M salesman in Denver and Texas territories, has joined Realart as salesman in Denver.

•

ROSE TRAVERS of the Eagle-Lion non-theatrical department here will be married on Saturday to AUSTIN FITZGERALD.

•

JACK ELLIS, United Artists New York district manager, is in Gloversville, N. Y., from here.

•

EARL WRIGHT, Columbia salesman in Chicago, has been transferred to the New Haven exchange.

•

DICK PERRY, United Artists salesman in New York, has been transferred to Albany, N. Y.

•

ISADOR M. RAPPAPORT, owner of the Hippodrome in Baltimore, is a New York visitor.

•

JOHN J. MALONEY, M-G-M Central sales manager, has returned to Pittsburgh from New York.

•

EDWARD M. SAUNDERS, M-G-M assistant general sales manager, is vacationing in Maine and Canada.

•

JACK CUMMINGS, M-G-M producer, left Boston yesterday for the Coast.

•

SAM GALANTY, Columbia district manager, is in Cleveland from here.

Newsreel Parade

DEWEY and Warren heading the Republican ticket are the newsreel highlights. International and national affairs as well as sports and human interest items round out the reels. Complete contents follow:

MOVIETONE NEWS, No. 52.—Warren nominated for vice-president. Germany: U. S. Military Government issues new currency. Violence in Holy Land. Mountbatten returns to England. Miss America of 1947 gets a new title of housewife. Joe Louis quits ring. Germany: Soap-box derby.

NEWS OF THE DAY, No. 286—Berlin under Red seige. Red rubber ship set afire. The Warrens meet the Deweys. Patty Berg wins open golf title. India bids farewell to Lord Mountbatten.

PARAMOUNT NEWS, No. 89.—Berlin: New days of crisis. Tito in Yugoslavia. Lord Mountbatten's farewell to India. Haganah forces clash with Irgunists. GOP set for big campaign. Dewey and Warren. Joe Louis retires. Patty Berg wins golf title.

UNIVERSAL NEWS, No. 156.—Warren nominated for vice-president. Lord Mountbatten leaves India. Strike in France. Colorado beetles. Telescopic ladder. Water skating. Mechanical surfboard. Soap-box derby.

WARNER PATHE NEWS, No. 91.—Warren on Dewey ticket. Count Bernadotte in Rhodes. Miss America is married. Lord Mountbatten leaves India. French bathing suits.

Mayer Honored

(*Continued from page* 1)

again," the MPAA president said in making the presentation, adding that "it is the Louis B. Mayers who have made this country great and who are the timeless inspirations for others to follow in the sturdy paths which they have beaten."

Hailing Mayer as "a leader in one of the noblest causes of our times," Johnston said that "the United Jewish Appeal is not the cause alone for those of the Jewish faith." "It is a cause for all Americans," he declared. "It is humanity's cause."

The following were invited to the dais, besides those previously mentioned:

Samuel Leidesdorf, Herman Robbins, David Weinstock, Jack Cohn, Albert Warner, Hugo Rogers, Vincent Impelliteri, T. O. Thackrey, Dr. Jonah B. Wise, Barney Balaban, Albert Lasker, J. T. McDonald, Will H. Hays, J. Robert Rubin, Emil Friedlander, Bert Lytell, Sylvan Gotshal, Max Gordon, Malcolm Kingsberg, Richard F. Walsh, George J. Schaefer, Steve Broidy, Julius Joelson, Gael Sullivan, Charles Strausberg, Fred Schwartz.

Also, George Skouras, Marvin Schenck, Leopold Friedman, William F. Rodgers, Joseph R. Vogel, Charles Moskowitz, Leonard Goldenson, Gus Eyssell, Max Cohen, Harry Brandt, William German, Sam Rinzler, Sam Rosen, Martin Quigley, James Mulvey, Jack Alicoate, Chick Lewis, Walter Vincent, Walter Reade, Jr., William Brandt, William Klein and Billy Rose.

Balaban, Fabian and Friedlander were co-chairmen of the affair. Weinstock was chairman of arrangements, and Cohen headed the reception committee.

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FIRST IN FILM NEWS

MOTION PICTURE DAILY

Accurate Concise and Impartial

VOL. 63. NO. 126—IN TWO SECTIONS SECTION TWO

NEW YORK, U. S. A., WEDNESDAY JUNE 30, 1948

TEN CENTS

Big Production Spurt on Coast

HOLLYWOOD, June 29.—The production tally has spurted to 43 from last week's 36. Work started on 12 new films while five were sent to cutting rooms.

Shooting started on "Boston Blackie's Honor," "Wings Westward," "Challenge of the Range" and "Song of India" (Gibraltar), all Columbia; "Tulsa" (Wanger), Eagle-Lion; "The Heiress" (Wyler), Paramount; "The Denver Kid," Republic; "Tarzan and the Arrow of Death" (Lesser), RKO Radio; "Sand" and "Bungalow 13" (Belsam), 20th Century-Fox; "Black Velvet," Universal-International; and "Night Beat," Warner. Shooting finished on "The Dark Past," Columbia; "The Strange Mrs. Crane" (Sutherland), Eagle-Lion; "The Plunderers" and "Son of God's Country," Republic; "My Dream Is Yours" (Curtiz), Warner.

Additional Drive-ins Planned in the Field

Numerous new drive-ins have been opened all over the country, besides many others contemplated, MOTION PICTURE DAILY field correspondents report. Among them are the following:

The Sundown Auto Theatre has opened in Springfield, Mass. Heading the ownership is Owen Holmes, former owner of the Auto Vision Theatre, Albany, N. Y. Rapp and Rapp, Chicago theatre architects, have completed plans for the Sonoma Realty Co. to build a 1,000-car drive-in at Niles, Mich. Alex Manta of Chicago heads the company. Plans call for a summer opening. Cost is estimated at $200,000.

DeVry, equipment manufacturers, reports its products are being installed in drive-ins at the following locations: Muncie, Ind.; San Diego, Cal.; Thomasville and Moultrie, Ga.; Terre Haute, Ind.; Sioux City, Ia.; Wilmington, O.; Springfield, O.; St.

(*Continued on page 3, Section II*)

Research Council to Aid Theatre Sound

Hollywood, June 29.—Motion Picture Research Council has released and made available to exhibitors, on request, a technical bulletin described as an "aid to securing the best possible sound reproduction from all types of sound equipment."

1948 Key Grosses to Date Compared with Last Year's

Recovering from the 10 per cent dip during the first four months of 1948, theatre grosses in key cities leveled off in May, according to reports on some 160 situations received from MOTION PICTURE DAILY field correspondents, and compare with corresponding weeks of 1947 as follows:

1948 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 2-3	179	$3,406,600	$19,031
Jan. 9-10	168	3,112,700	18,528
Jan. 16-17	168	2,473,300	14,722
Jan. 23-24	166	2,419,000	14,572
Jan. 30-31	166	2,341,900	14,108
Feb. 6-7	167	2,537,800	15,196
Feb. 13-14	166	2,381,500	14,546
Feb. 20-21	164	2,316,500	14,125
Feb. 27-28	167	2,734,100	16,372
Mar. 5-6	165	2,372,700	14,380
Mar. 12-13	165	2,441,800	14,799
Mar. 19-20	175	2,626,800	15,010
Mar. 26-27	162	2,356,800	14,548
April 2-3	171	2,953,500	17,272
April 9-10	169	2,740,000	16,213
April 16-17	175	2,493,600	14,249
April 23-24	167	2,284,000	13,677
April 30-May 1	159	2,232,300	14,040
May 7-8	167	2,416,500	14,470
May 14-15	167	2,301,200	13,780
May 21-22	149	2,118,300	14,217
May 28-29	158	2,241,100	14,184

1947 Week Ending	No. of Theatres	Total Gross	Average Per Theatre
Jan. 3-4	167	$3,678,100	$22,024
Jan. 10-11	173	3,363,200	19,400
Jan. 17-18	173	3,007,300	17,383
Jan. 24-25	176	3,043,700	17,294
Jan. 3-Feb. 1	181	2,293,600	18,197
Feb. 7-8	177	3,089,600	17,495
Feb. 14-15	177	2,767,900	15,638
Feb. 21-22	182	3,042,700	16,718
Feb. 28-Mar. 1	166	2,800,300	16,869
Mar. 7-8	178	2,906,400	16,328
Mar. 14-15	174	2,890,300	16,610
Mar. 21-22	173	2,922,900	16,895
Mar. 28-29	178	3,069,500	17,245
April 4-5	179	2,838,800	15,859
April 11-12	184	2,239,500	17,606
April 18-19	177	2,973,400	16,798
April 25-26	183	2,917,900	15,945
May 2-3	177	2,699,800	15,253
May 9-10	175	2,578,100	15,732
May 16-17	176	2,650,400	15,059
May 23-24	169	2,369,100	14,018
May 30-31	173	2,590,100	14,972

Scores Over-Buying Of Foreign Pictures

Box-office slump currently being experienced by foreign language pictures in New York and the reduction in the number of first-run foreign film theatres here are the result of the inclination of most importers at this point to give greater consideration to quantity rather than quality in acquiring overseas product, in the opinion of Ilya Lopert, head of Lopert Films, who returned here recently from Paris.

Lopert pointed out that the number of first-run foreign language houses in New York has dropped from 22 to 17. He said that foreign pictures have been unable to escape the general drop-off in theatre business notwithstanding the fact that their "select" audiences have become regular patrons. Even "art" house customers shop for entertainment, he said.

While in Paris, Lopert acquired two films for U. S. distribution to be released in the fall.

Kentucky Owners To Pick Board July 9

LOUISVILLE, June 29.—Annual election of directors of the Kentucky Association of Theatre Owners will be conducted on July 9.

Twelve board members are to be elected. Candidates are Ned Greene, Leon Pickle, Mrs. Gratia Locke, Kenneth Arnold, W. Bruce Aspley, J. Van Snook, Gene Lutes, L. O. Davis, W. T. Cain, Mrs. O. J. Minnix, Lew Hensler and E. L. Ornstein.

Majors Report Today On Theatre Holdings

The five theatre-owning defendants in the industry anti-trust case will file with the New York Federal Court today quarterly reports on their theatre holdings, as directed by the court here in its decree. It is understood, however, that the companies will reserve the question of the necessity of the reports, the feeling being that the U. S. Supreme Court in its opinion failed to make this point clear.

Actually, for the most part previous reports have constituted little more than a formality, the companies having declared no reduced or increased interests in exhibition in previous reports.

Boosted Scales for Loew's State Here

New price policy to go into effect at Loew's State here beginning with this morning's world premiere of "Easter Parade," follows: New weekday prices will be 80 cents to one P.M., $1.20 to six P.M. and $1.50 thereafter. Old scales were 55 cents to one P.M., 80 cents to five P.M. and $1.25 thereafter.

What the new Saturday and Sunday prices will be has not been decided. Saturday prices have been 70 cents to one P.M., 85 cents to five P.M. and $1.25 to closing. Old Sunday scales were 80 cents to one P.M., $1 to five P.M., $1.25 to 10:30 P.M. and 80 cents to closing. The policy of seven shows daily will be retained.

UA Labor Hearing At NLRB Tomorrow

Clash between AFL's IATSE and CIO's Screen Office and Professional Employes Guild over labor jurisdiction at United Artists' home office will get its second airing at the National Labor Relations Board office here tomorrow at a conference before NLRB field examiner Arthur Younger.

The conference, to be participated in by representatives of "IA" Local No. H-63, SOPEG and U.A., is expected to result in the setting by Younger of a date for an NLRB election among UA's home office "white collar" workers.

At an earlier conference Younger delayed setting an election date pending the handing down of a decision in

(*Continued on page 3, Section II*)

Admission Taxes Continue to Drop

WASHINGTON, June 29.—Theatre business in April continued well below 1947 levels, making February the only month this year when box-office receipts exceeded those of 1947, according to Bureau of Internal Revenue figures.

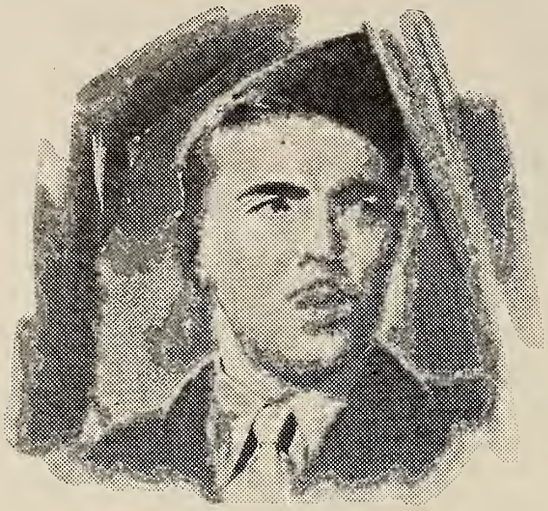
General admission tax collections in May, reflecting April box-office business, totaled $28,309,290, close to $3,000,000 below the $31,266,930 collected in May, 1947. May collections were also well below collections in April, 1948, which amounted to $31,146,236.

These figures are only for general admissions, including sporting events, legitimate theatres, and other admissions, as well as motion picture theatres. They do not cover cabaret taxes or taxes on various ticket overcharges and premiums. All admission collections in May, 1948, covering all of these categories, totaled $32,167,271, compared with $36,145,428 in May, 1947.

$2,000,000 Martin Building Program

Atlanta, June 29. — E. D. Martin Theatres will spend $2,000,000 for new theatres in Alabama, Georgia and Florida. Theatres are to be constructed in Columbus, Ga.; Sylcauga, Ala.; Bainbridge, Ga.; Opelika, Ala.; Talladega, Ala.; Phenix City, Ala. and drive-ins in Columbus and Marietta, Ga. Their affiliates are now building in Hawkinsville, Ga., and Tavares, Fla.

and Marlene around—I wonder why they ever sent 10,000 ping pong tables to Army recreational halls?"



WE PREDICT:
One Person Will Tell Another
"It's The Funniest Picture I Ever Saw!"

in the toughest joint in town. From then on it's Jean and **MARLENE DIE**

in the catfight of the century over handsome

JOHN LUND

who makes these two beauties his "Targets for Tonight" in

"A Foreign AFFAIR"

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World Premiere NOW

DOORS OPEN 8:30 A.M.—55¢ TO 1 P.M. (Tax Included) Except Sat., Sun. & Holidays

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BECAUSE EVERYBODY TELLS US IT'S
WE GAVE IT NEW YORK'S BIGGEST
Full Pages Like This In Every Paper in Advance

This Time V.I.P.

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You're going to be button-holed by people you hardly know who'll want to tell you that

THIS PICTURE IS A HONEY!

It begins with

JEAN ARTHUR

an unawakened gal. She is also a **V**ery **I**mportant **P**erson. She looks like this ..... but..... she gets KISSED right in the file room and winds up getting Blanket-TOSSED to the rafters after she's romped thru a song that

Telecasters' Confab On Democrats' Meet

Representatives of the 18 television stations which pooled to cover the Republican Party convention in Philadelphia last week, will meet here Friday at the office of Mutual Broadcasting's J. R. Poppele for a review of the assignment and to consider possible improvements in handling the Democratic convention, opening July 12 in the same city.

It is not unlikely that Paramount's reproduction of Gov. Dewey's acceptance speech at its Broadway showcase will come up for discussion, Poppele said, but as reported yesterday, legal action is not contemplated.

Paramount originally had applied for authorization from the pool, offering to share the coaxial cable costs, but was refused. As of yesterday it had not sought rights for the television pictures of the Democratic conclave.

'Frisco Theatre Opens; 2 More Are Planned

SAN FRANCISCO, June 29.—Golden State's El Rey Theatre in Chico, a 900-seat showcase replacing the American which burned, has been opened here.

Two other new houses are planned for South San Francisco. A $60,000, 500-seat house is to be built by Charles Ide in Soquel, and the Arthur Mayer-Joseph Jacobs theatre at Capitola, construction of which was halted several months ago by Federal regulations, has been resumed. It will cost about $70,000.

Minneapolis Combine In Deal with Para.

MINNEAPOLIS, June 29.—After a six-month so-called "boycott" of Paramount product due to disagreement over terms, Independent Theatres Association, Minneapolis buying combine of 27 members, submitted a deal to the Paramount exchange here and it has been approved by the home office.

Meanwhile, Theatre Associates, largest of the Minneapolis buying combines, is still holding out against Paramount's terms after almost two years of intermittent negotiations.

Schreiber Quits Century

Edward Schreiber, for the last two years advertising-publicity director for Century Theatres, has resigned, effective tomorrow, to enter business outside the film industry.

Schreiber began in the industry at Warners 13 years ago and left during the war to head the advertising and publicity department of the WAC. After a year as partner in a public relations agency, he took the post with Century.

Benedict on U-I Stint

Lowell Benedict, former M-G-M magazine contact, has joined the Universal-International publicity staff as a temporary replacement for Jeff Livingston who has been assigned to special duties for J. Arthur Rank's "Hamlet."

Reviews

"The Twisted Road"

(*RKO Radio*)

AN unusual screen attempt to examine human emotions in the extremity of fear and hopelessness is made in "The Twisted Road." The story of two young lovers in a grim flight from the police, it unfolds with relentless drive. As entertainment, it should have especially strong appeal to patrons whose tastes go beyond the formula plots. The cast assembled is an extremely effective one, headed by Cathy O'Donnell and Farley Granger as the young lovers, and including Howard Da Silva, Jay C. Flippen, William Phipps, and Ian Wolfe.

What is most striking about the Charles Schnee screenplay is the credibility of its situations, made all the more so by excellent camera work. Granger, convinced that he was "railroaded" to prison, escapes with two hardened lifers, Da Silva and Flippen. At a hideaway Granger meets and eventually marries Miss O'Donnell. Thoughts of starting life anew fill the pair and they even toy with the hope of being eventually cleared through legal aid. However, Granger finds that his past delinquencies have too much momentum to be sidetracked. His prison pals force him to participate in new crimes, and even after their death, he finds he cannot escape the grip of circumstances. What is worse, Granger in time finds himself resorting to the same brutalities that made his pals so despicable. As seems fated, a fusillade of bullets ends Granger's life.

Performances are superb all around. Many fascinating touches stud the film, not the least of which is singer Marie Bryant in a nightclub rendition of "Your Red Wagon." There are some occasional heavy stretches in the John Houseman production, but for the most part it is strong and compelling entertainment. Nichols Ray has directed with distinction.

Running time, 95 minutes. Adult audience classification. Set for July release.

MANDEL HERBSTMAN

"The End of the River"

(*Prestige-Universal-International*)

A JUNGLE adventure drama that has many of the allurements of a travelogue has been sent here by J. Arthur Rank, for Prestige Pictures release. It is the story of an Indian boy and his struggles to find a place for himself in a seemingly hostile world. The picture was mostly photographed in Brazil. Produced by Michael Powell and Emeric Pressburger, and starring Sabu, it suggests many merchandising angles for the selective audience.

The opening has Sabu on trial as a killer, the story then proceeding to tell in restrospect all the hardships that befell the young Indian boy. When a child his entire family was massacred by an evil tribal leader, and the incident burned into his memory. Through adolescence he gets a variety of jobs and is almost continually beaten or exploited by white employers. His misfortunes culminate in the murder of a man who symbolizes for him the same evil that wiped out his family. An acquittal ends the story, with the boy going to the end of the river to live with his wife in harmony.

Bibi Ferreira offers a naturalistic portrayal as the young wife. The characterization of a seaman's trade union as a totalitarian outfit that deceives its membership and finally makes a thrust at overthrowing the government, may provoke objection from labor-conscious circles. Wolfgang Wilhelm did the screenplay, from the Desmond Holdridge novel. Derek Twist directed. A production of The Archers, the British Philharmonia Orchestra was under Muir Mathieson's direction.

Running time 80 minutes. General audience classification. For July release.

M. H.

"16 Fathoms Deep"

(*Monogram*) *Hollywood, June 29*

FIRST feature picture to be filmed in Ansco Color and it has a good deal apart from that circumstance to recommend it as box-office material. The presence of Lon Chaney, Arthur Lake and John Qualen in principal roles takes care of marquee needs, and the subject matter—built around sponge fishing in the Gulf of Mexico—has the appeal of the unique. Additionally, the melodramatic action, toward which the picture builds slowly, generates a highly satisfactory degree of suspense. The scene is principally Tarpon Springs, Fla., beautifully caught by Ansco cameras, and there is a wealth of undersea material with a charm of its own.

The story, by Eustace L. Adams and screenplay by Max Trell, present Chaney as an unprincipled dealer in the sponge-fishing trade, Qualen as an elderly captain whose boat Chaney takes from him by chicanery and seeks to retain by thwarting the new owner (Eric Reldary) in his effort to finance his purchase by making a first catch equal to the required payment. The attempt to sabotage the voyage results in a murder, for which Chaney pays with his life, unofficially, when the enraged fishermen learn what has happened and close in on him. Lake supplies comedy relief as a tourist with a camera. Others in the cast are Lloyd Bridges, Tanis Chandler, Ian MacDonald, Dickie Moore, Happy Cheshire, John Bibifer, Frant Means and Allen Mathews. It is an Arthur Lake production, produced by James S. Burkett and Irving Allen and directed by the latter.

Running time, 83 minutes. General audience classification. Release date, July 25.

WILLIAM R. WEAVER

FCC Probe in Work In 48 Hrs: Harness

WASHINGTON, June 29.—House Speaker Martin today named Rep. Harness of Indiana chairman of a special committee to investigate the Federal Communications Commission.

Harness, who sponsored the resolution to set up the committee which was passed in the closing hours of Congress, said he hopes to have a staff at work in 48 hours.

Other members of the committee are Republican Representatives Hall of New York and Elston of Ohio, and Democratic Congressmen Priest of Tennessee and Harris of Arkansas.

A Senate Interstate Commerce subcommittee is also planning to spend part of the summer and fall looking into the FCC.

District Theatres' 27th a First-Run

WASHINGTON, June 29. — District Theatres has acquired the 1,400-seat Royal Theatre in Baltimore, bringing to 27 the number of theatres it is now operating in Maryland, Virginia and the District of Columbia. The theatre will have a policy of first-run double features every other week and a single feature plus a stage show the other weeks. Sam Ward will be retained as manager.

Mexico City Now Has 92 Theatres

MEXICO CITY, June 29.—Active theatres here now number 92, with prospects that they will total 100 by October 1. Two new ones have just opened, the Arcadia, a 3,200-seater owned by Arcady Boytler, the Russian who has been in Mexican pictures for 25 years, and the Cosmos, seating 3,650, which opened today with Selznick Releasing's "The Paradine Case."

DuMont To Testify

WASHINGTON, June 29.—Allen B. DuMont Laboratories and Philco Corp. have been granted permission by the Federal Communications Commission to participate in hearings reopening in September on the reasonableness of intercity television rates charged by A.T. and T. and Western Union.

New Television Station

CINCINNATI, June 29.—A television station will be built and operated by WCPO, Scripps-Howard station operated by the *Cincinnati Post*. Two other television stations are now in operation here, one by Crosley Broadcasting Co., the other by WKRC, local Columbia affiliate, operated by the *Cincinnati Times-Star*.

New Theatre for Guidry

NEW ORLEANS, June 29.—Construction of a 900-seat theatre in the Nona Trading Center in Lafayette, La., has been started by Milton Guidry. He also operates theatres in several other towns in this state.

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PUBLISHED JUNE 30, 1948 IN TWO SECTIONS—SECTION TWO

Reviews

"Mystery in Mexico"

(*RKO Radio*)

THE pursuit of a diamond necklace results in a series of melodramatic adventures in "Mystery in Mexico," a formula-mystery filmed at Churubusco Studios in Mexico City. The story is a rambling affair, obvious in structure, but with sufficient excitement and interest to make it a satisfactory item in its category.

William Lundigan plays the part of a special investigator who is sent to Mexico by an insurance company to probe the disappearance of another investigator who had been on the trail of the necklace. Also bound for Mexico on the same plane is Jacqueline White, sister of the missing man. Lundigan suspects she may be involved in the missing necklace and decides to watch her from a closer vantage point. Eventually the pair fall in love, but in-between there is a lot of melodramatic skullduggery, punctuated by scurrying cabs, nightclub scenes and automobile rides in Mexico's outdoor stretches. Suave villain of the piece turns out to be Ricardo Cortez, who is shot down in a nick-of-time entrance by the police. Some of the picture's best touches result from the use of local talent. Sid Rogell produced and Robert Wise directed, from a screenplay by Lawrence Kimble.

Running time, 66 minutes. General audience classification. Release date, July 4. M. H.

"Michael O'Halloran"

(*Windsor Productions-Monogram*)

Hollywood, June 29

GOOD, solid entertainment with a special appeal to the family trade and interest for both old and young. From the first of four Windsor productions contemplated from Gene Stratton Porter novels, producers Julian Lesser and Frank Melford have fabricated a narrative which is spread generously with rich, warm and timeless values. John Rawlins' direction is commendable. Script was by Erna Lazarus.

Allene Roberts portrays with simple charm the crippled girl whose young friend, Tommy Cook, intervenes when an accident to her widowed and alcoholic mother, Isabel Jewell, makes the child's placement in an institution imminent. He installs her in the room of his newsboy friend, Scotty Beckett, where she acts as housekeeper. The two eventually develop romantic interest, until gossips make trouble. Scotty learns from a doctor that the girl's crippled condition is due to mental cause, rather than organic, and when he is charged with abducting the girl and placed on trial this diagnosis proves correct as she walks from her chair without realizing what she is doing. Her mother, realizing that her way of life has been responsible for the girl's infirmity, vows abstinence. Others in the cast are Charles Arnt, Jonathan Hale, Gladys Blake, Roy Gordon, Florence Auer and William Haade.

Running time, 76 minutes. General audience classification. Release date, not set.

"Northwest Stampede"

(*Eagle-Lion*)

USING the colorful beauty of the Canadian Rockies as a backdrop, Eagle Lion here presents showmen with an excellent opportunity to cash in once again with a well-done and exciting outdoor film which utilizes all the stable ingredients that have spelled out "success" in the past.

"Northwest Stampede" has an unusually good cast, headed by the talented Joan Leslie and James Craig, who here match wits and skills as the cowgirl and the rodeo star who knows all the angles. Jack Oakie is good for laughs as Craig's sidekick.

Photographed in Cinecolor, the film is intelligently handled to combine all of its attractive elements into a story that sparkles with fine scenes from the rodeo ring, of Craig's pursuit of a wild white stallion, of an exciting chuck-wagon race, of the girl's love of the travel-happy cowboy and her determination to outdistance him in the accomplishments of ranch life.

Taken altogether, producer-director Albert S. Rogell; David Hersh, executive producer, and Art Arthur and Lillie Hayward who wrote the story and the script, have turned out a highly-exploitable package that ought to please a wide audience. The Canadian scenery and the quality of the performances contribute no little to the picture's appeal.

Running time, 79 minutes. General classification. Release date, about Aug. 1.

"The Betrayal"

(*Astor Pictures*)

OBVIOUSLY a labor of fervent conviction, "The Betrayal," an all-Negro production, wrestles with the problem of mixed marriage along with other racial questions. Written, produced and directed by Oscar Micheaux, it turns up some scattered moments of engrossing drama in the course of its three-hour wanderings, but for the greater part, unfortunately, the pace is slow, the direction crude and the story excessively detailed. It should be pointed out, nonetheless, that many a Negro audience may find in the film a reflection of their own problems and thereby be moved.

The picture features Leroy Collins as Martin Eden, a young Negro who builds an agricultural empire in North Dakota. Falling in love with a white woman, he rejects her, feeling that inter-marriage would be unwise. He marries a colored woman and there follow years of marital misunderstanding, combined with other strife, famine and hardship. Finally, it is learned that the white woman is colored after all, and thus a happy marriage is consummated. Others in the cast are Myra Stanton, Verlie Cowan, Harris Gaines and Yvonne Machen.

Running time, 3 hours. Adult audience classification. Release date, June 24. M. H.

Tunesmith Sounds Sour Note; Sues Those Ascap 'Pirates'

Ascap and others have plagiarized his 72 songs in the past 15 years, including "Nature Boy," in a "gigantic swindle and fraud," composer Ira B. Arnstein charges in a suit filed in New York Supreme Court. Among other things Arnstein demands that Ascap and the Music Publishers Protective Association pay to him "all money collected for the 72 piracies"—this he figures will amount to more than $50,000,000.

Incorporated in the complaint, written by the plaintiff, are "defamation-of-character" charges hurled at Louis Frohlich, Ascap's litigation counsel; Herman Finkelstein, resident counsel; Deems Taylor, former president, and Sigmund Spaeth, known as the "Tune Detective." Arnstein wants $100,000 from each of them.

The plaintiff alleges that Ascap and its members "steal 90 per cent of their publications" from both living and deceased composers. He says that Taylor "was hired by them as a front or stooge . . . to pull their chestnuts out of the fire, to come to court to perjure himself, to lie about the obvious facts and to deny any plagiarism by Ascap members."

Spaeth, Arnstein has decided, is a "notorious faker." He asserts further that Frohlich and Finkelstein assisted in spreading lies, including that he, Arnstein, is an alien, a Communist traveler, intemperate and mentally ill.

More New Drive-Ins

(*Continued from page* 1)

Mary's, O.; Grand Rapids, Mich.; Asheville, Statesville and Charlotte, N. C.; New Kensington, Pa.; Midland, Tex.: Elkins and Meadowbrook, Va.; Lansing, Ont.

National Theatre Supply reports it recently equipped drive-ins at Wyandotte, Mich.; San Diego, Cal.; Denver; Troy, N. C.; Greenville, O., and Dodge City, Kan. Omaha's first drive-in has opened under management of Bernard Dudgeon. Tri-States Theatres promoted Dudgeon from manager of the Oil City at Falls City. Sandusky Drive-In, Sandusky, O., has

Application has been made to the San Francisco council for permission to build a new drive-in east of Mayfair Village, Cal. Leslie Kessler and Albert H. Kessler of Berkeley, Cal., in partnership with Herbert Rosener of Oakland, have incorporated under the name of Vallejo Drive-In Theatre, Inc., to construct an outdoor theatre near the Napa junction on the Napa-Vallejo highway. From Fresno, Cal., comes word that application has been made to the County Planning Commission by Lloyd C. Miller for permission to construct a $1,000,000 drive-in.

M. H. Sparks and Ray Coleman, operators of the Strand, Edmonton, Ky., have joined in a drive-in enterprise and have announced plans for construction of one in Hopkinsville, Ky. Louis Weithe, operator of seven neighborhood houses in Cincinnati, has acquired the 650-car Park-In Theatre at nearby Mt. Healthy. A new 500-car drive-in is under construction on the Harrisburg pike, near Columbus, O., with completion set for late this month. Frank Yassenoff, associated with Harold Schwartz in operation of the Riverside and Eastside, Columbus, is the owner. Drive-in will cost between $60,000 and $75,000, and it will be the third theatre in western Franklin County.

Six Pre-releases for Columbia's 'Carmen'

Pre-release engagements have been set for "Loves of Carmen" in six cities this fall by A. Montague, general sales manager, who has returned from a branch and district branch manager's meeting in Chicago. The six are Detroit, Buffalo, Houston, San Francisco, Baltimore and Cincinnati.

Theatre Manager Shifts

OTTAWA, June 29.—Isser Singerman, manager of the Rideau and Imperial theatres here for the past 12 years, is leaving to manage the Lake Theatre in Toronto. Don Watts succeeds him. Ernie Taylor, assistant manager of the Elgin replaces Watts at the Park, with Leslie Jefferies replacing Taylor at the Elgin.

UA Labor Hearing

(*Continued from page* 1)

a Federal Court labor case wherein NLRB's right to set such elections had been challenged. The decision has been made meanwhile, and it has upheld NLRB's right.

H-63 had asked for the election, claiming an "overwhelming majority" of UA workers whose contract, under SOPEG aegis, expired last May 31. UA management refused to negotiate with SOPEG on the ground that the union failed to comply with the non-Communist affidavit provisions of the Taft-Hartley Law.

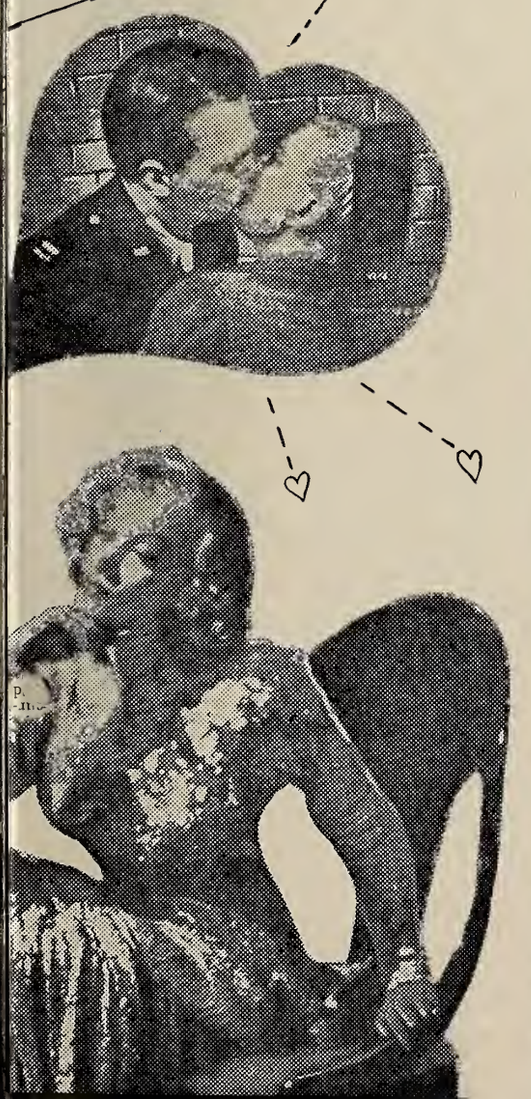
Among those expected to be at tomorrow's NLRB meeting are Russell Moss and James Rogers from H-63, Sidney Young from SOPEG, UA vice-president Harry D. Buckley, and attorneys representing all three principals.

Lift up this corner please...

E GREATEST COMEDY IN 20 YEARS
VSPAPER CAMPAIGN IN 20 YEARS...
Wednesday's N.Y. Paramount World Premiere...

means: VERY IMPORTANT PICTURE! as well!!

ANYBODY'S MONEY



Because—it's a hilarious hit—the third success in a row from Brackett and Wilder—who gave you "The Lost Weekend" and "The Emperor Waltz"!

There's Going To Be Some Lip Point Bombing A Wink Of The Eye From Now!

Because—it will head every list of "Ten Best Pictures Of The Year"—and remember we told you so!

RICH

MILLARD MITCHELL

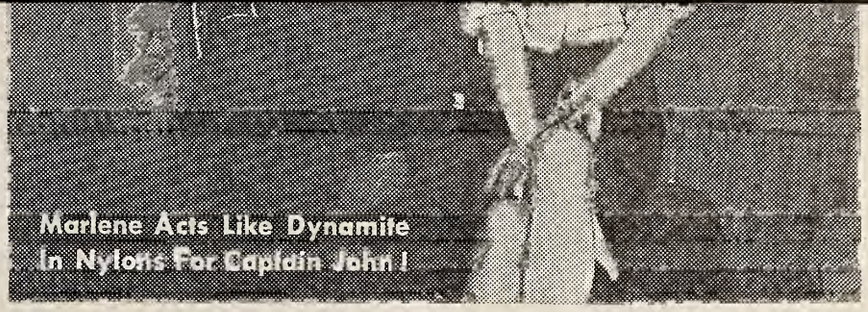
Produced by

HARLES BRACKETT

Directed by

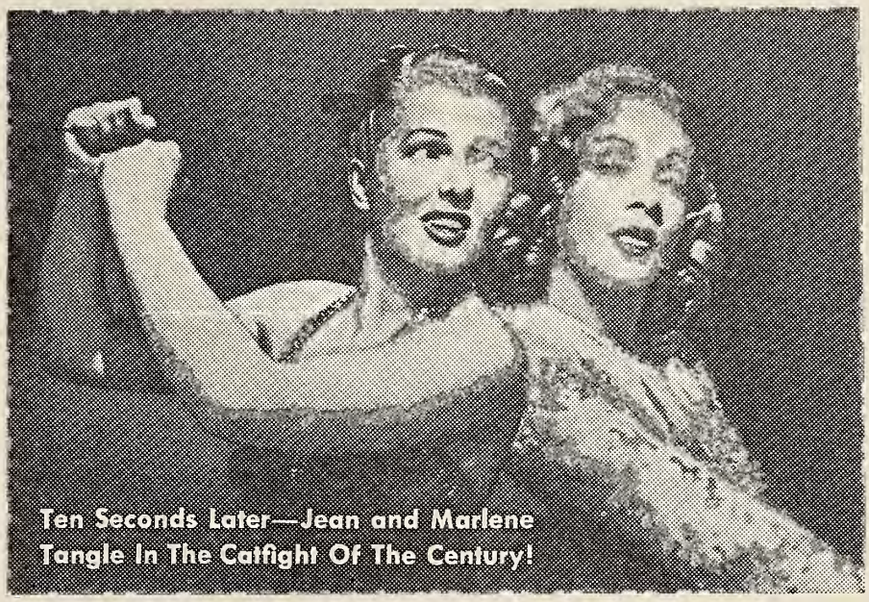
BILLY WILDER

Screenplay by Charles Brackett,
Billy Wilder and Richard L. Breen
Adaptation by Robert Harari
Original Story by David Shaw



Marlene Acts Like Dynamite
In Nylons For Captain John!

Because—for sheer fun and sly surprises it will rate your ovation and cheers from the nation!



Ten Seconds Later—Jean and Marlene
Tangle In The Catfight Of The Century!

Because—you're going to go "M-m-m-m!" as always-sultry Marlene reaches new heights when she sings "Illusions"—and other new hits!

R"

y affair

of the Chesterfield Supper Club

STAFFORD · SAM DONAHUE *Extra Added Attraction* **And His ORCHESTRA**

Capitol Recording Star

featuring BILL LOCKWOOD · HAROLD HAHN

plus **GEORGIE KAYE · THE LANE BROTHERS**

MOTION PICTURE DAILY'S BOOKING CHART

WEEK OF	COLUMBIA	EAGLE-LION	M-G-M	MONO.	PARA.	REPUBLIC	RKO RADIO	S.R.O.	20TH-FOX	U. A.	UNIV.-INT'L.	WARNERS
June 13		TIOGA KID Eddie Dean O—54 min. (858) (Rev. 3/11/48)		STAGE STRUCK Kane Richmond D—71 min. (4715)	(Reissue) THE CRUSADES Loretta Young Henry Wilcoxon D—126 min. (7-3508) (Rev. 8/2/35)	TIMBER TRAIL Monte Hale O—67 min.	(Specials) I REMEMBER MAMA Irene Dunne Barbara Bel Geddes D—137 min. (868) (Rev. 3/9/48)		(June Releases) GREEN GRASS OF WYOMING (Color) Peggy Commins Charles Coburn D—87 min. (818) (Rev. 4/28/48)	(June Releases) SO THIS IS NEW YORK Henry Morgan Virginia Grey C—79 min. (Rev. 5/7/48)		THE BIG PUNCH Wayne Morris D—80 min. (727) (Rev. 5/25/48)
June 20		MICKEY (Color) Irene Hervey D—87 min. (825) (Rev. 6/17/48)	ON AN ISLAND WITH YOU (Color) Esther Williams Peter Lawford MC—107 min. (Rev. 4/27/48)	TRIGGERMAN Johnny Mack Brown O—58 min.	SHAGGY (Color) Brenda Joyce D—72 min. (4717) (Rev. 4/16/48) HATTER'S CASTLE James Mason Deborah Kerr D—99 min. (Rev. 4/7/48)		THE MIRACLE OF THE BELLS Fred MacMurray Frank Sinatra Valli D—126 min. (869) (Rev. 3/2/48)		GIVE MY REGARDS TO BROADWAY (Color) Dan Dailey Nancy Guild MC—92 min. (827) (Rev. 5/21/48)	VICIOUS CIRCLE Conrad Nagel Fritz Kortner D—77 min. (Rev. 5/27/48)	(June Releases) LETTER FROM AN UNKNOWN WOMAN Joan Fontaine Louis Jourdan D—90 min. (659) (Rev. 4/8/48)	
June 27	THE FULLER BRUSH MAN Red Skelton Janet Blair C—93 min. (Rev. 5/7/48) BLAZING ACROSS THE PECOS Charles Starrett O	CANON CITY Scott Brady D—88 min. (826) (Rev. 6/29/48)		JINX MONEY Leo Gorcey C—68 min. (4717) (Rev. 5/20/48)	WATERFRONT AT MIDNIGHT William Gargan D—63 min. (4719) (Rev. 5/7/48)	TRAIN TO ALCATRAZ Don Barry D—60 min. EYES OF TEXAS (Color) Roy Rogers O			COUNTERFEITERS John Sutton D—73 min. (819)		ANOTHER PART OF THE FOREST Fredric March Ann Blyth D—107 min. (660) (Rev. 4/15/48)	ROMANCE ON THE HIGH SEAS (Color) Jack Carson Janis Paige M—102 min. (728) (Rev. 6/8/48)
July 4	THUNDERHOOF Preston Foster D—77 min.	THE SPIRITUALIST Turhan Bey Lynn Bari D—79 min. (827)	EASTER PARADE (Color) Judy Garland Fred Astaire M-103 min. (Rev. 5/26/48)	COWBOY CAVALIER Jimmy Wakely O	EMPEROR WALTZ (Color) Bing Crosby Joan Fontaine M—106 min. (Rev. 5/3/48)	CODE OF SCOTLAND YARD Oscar Homolka D	(Block 4) TARZAN AND THE MERMAIDS Johnny Weismuller D—68 min. (813) (Rev. 3/23/48)	(July Releases) MR. BLANDINGS BUILDS HIS DREAM HOUSE Cary Grant Myrna Loy Melvin Douglas C—96 min. (206) (Rev. 3/25/48)	(July Releases) ESCAPE Rex Harrison Peggy Cummins D—78 min. (Rev. 5/26/48)		RIVER LADY (Color) Yvonne De Carlo Rod Cameron D—78 min. (661) (Rev. 5/7/48)	
July 11		OLIVER TWIST Robert Newton D—115 min. (828)		THE SHANGHAI CHEST Roland Winters D—65 min. (4718)			THE ARIZONA RANGER Tim Holt O—63 min. (Rev. 3/25/48)	THE PARADINE CASE Gregory Peck Ann Todd Valli D—117 min. (105) (Rev. 12/30/47)	THE STREET WITH NO NAME Mark Stevens Barbara Lawrence D—91 min. (Rev. 6/23/48)	(July Releases) TEXAS, BROOKLYN AND HEAVEN Diana Lynn Guy Madison James Dunn C	UP IN CENTRAL PARK Deanna Durbin Dick Haymes Vincent Price D—87 min. (662) (Rev. 5/26/48)	
July 18	CORONER CREEK (Color) Randolph Scott Marguerite Chapman D—90 min. (Rev. 6/4/48) ARKANSAS SWING Gloria Henry M	SHED NO TEARS Wallace Ford June Vincent D—70 min. (829)		BACK TRAIL Johnny Mack Brown O	DREAM GIRL Betty Hutton Macdonald Carey C—85 min. (Rev. 5/6/48)		(Block 5) BERLIN EXPRESS Robert Ryan Merle Oberon D—86 min (816) (Rev. 4/6/48)		THE CHECKERED COAT Tom Conway D	FOUR FACES WEST Joel McCrea Frances Dee D—90 min. (Rev. 5/14/48)		
July 25		NORTHWEST STAMPEDE Joan Leslie James Craig O—79 min. (830)	A DATE WITH JUDY (Color) Wallace Beery Jane Powell Elizabeth Taylor MD-113 min. (Rev. 6/18/48)	16 FATHOMS DEEP Lon Chaney, Jr. D	BIG TOWN SCANDAL Philip Reed Hillary Brooks D—62 min. (4722) (Rev. 5/28/48)	GALLANT LEGION William Elliott O—88 min. (Rev. 5/28/48)	FIGHTING FATHER DUNNE Pat O'Brien D—(816) (Rev. 5/13/48)		MINE OWN EXECUTIONER Burgess Meredith D—105 min. (824) (Rev. 6/7/48)	TIME OF YOUR LIFE James Cagney William Bendix D—109 min. (Rev. 5/25/48)	(July Releases) BAD SISTER Margaret Lockwood Ian Hunter D—90 min. (Rev. 6/11/48)	
Aug. 1			JULIA MISBEHAVES Greer Garson Walter Pidgeon D		SO EVIL MY LOVE Ray Milland Ann Todd D—109 min. (4723) (Rev. 5/24/48)	DAREDEVILS OF THE CLOUDS Robt. Livingstone D	RETURN OF THE BADMEN Randolph Scott Robert Ryan O—90 min. (817) (Rev. 5/21/48)		(Aug. Releases) WALLS OF JERICHO Linda Darnell Cornel Wilde D		ABBOTT AND COSTELLO MEET FRANKENSTEIN Budd Abbott Lou Costello Lon Chaney C	
Aug. 8			A SOUTHERN YANKEE Red Skelton Brian Donlevy C	A JOE NAMED PALOOKA Joe Kirkwood Elyse Knox D			GUNS OF HATE Tim Holt O—62 min. (Rev. 5/21/48)		DEEP WATERS Dana Andrews Jean Peters D		MAN-EATER OF KUMAON Sabu Joanne Page Wendell Corey D-79 min. (Rev. 6/17/48)	
Aug. 15					A FOREIGN AFFAIR Jean Arthur John Lund D-116 min. (Rev. 6/14/48)		(Reissue) BRING 'EM BACK ALIVE Frank Buck D—65 min. (815) (Rev. 3/25/32)		THE WINNER'S CIRCLE Jean Willes D	(Aug. Releases) PITFALL Dick Powell Lizabeth Scott D	FEUDIN', FUSSIN' AND A-FIGHTIN' Donald O'Connor Marjorie Main C—78 min. (Rev. 6/8/48)	EMBRACEABLE YOU Dane Clark Geraldine Brooks D
Aug. 27										HIGH FURY Madeleine Carroll D		

[Dates Are Based on National Release Schedules and Are Subject to Change. Letters Denote the Following: (D) Drama. (M) Musical. (C) Comedy. (O) Outdoor Action. Production Numbers Are in Parentheses. (Rev.) Motion Picture Daily Review Date.]

Walsh's Reelection Will Be Unopposed

For the first time since he became IATSE international president, six years ago, Richard F. Walsh will be unopposed for reelection at the "IA" bi-annual convention in Cleveland starting August 16, according to early speculation among convention delegates.

It was pointed out that heretofore when there was to be opposition, candidates began pouring campaign literature into the field many months in advance of a convention. The Cleveland convention is less than two months away and there are no declared opposition candidates. About two months ago Walsh announced that he and all other incumbent officers will be up for reelection.

Also about two months ago, Eugene Atkinson, business agent of Local No. 110, Chicago, was reported to be a candidate for the presidency, but he has since denied this and has announced he will support Walsh's reelection.

Spokesmen of various "IA" locals have said that Walsh's reelection this year became a certainty last fall when his administration's reputed victory in the Coast labor jurisdictional dispute was climaxed with his successful opposition at the AFL San Francisco convention to an attempt by Carpenters' union head William Hutchinson and United Mine Workers' president John L. Lewis to expel the "IA" from the AFL.

IA Bids Lawmakers

(*Continued from page* 1)

delegates are our supreme government."

This democratic precept, Walsh added, "is law for a vast majority of America's labor organizations" and is "scrupulously applied." He said labor's enemies "have made capital of the myth that unionists are helpless victims of so-called dictatorial leaders" and that through this means they "hope to divide and conquer us."

To Discuss 'Reds in Hollywood'

Along with problems growing out of the Taft-Hartley Act, the Cleveland convention will take up Communism in Hollywood, according to the "IA."

"By exposing and defeating the pro-Communist forces that sought to control the key medium of public information we serve, the Alliance has played a prominent part in the battle against a world movement aimed at destroying America's democratic institutions," the "IA" points out.

Other business on the "IA" convention agenda include the development of employment opportunities in television and 16mm.

29 New Locals in Two Years

Eligible to attend the convention are 1,171 delegates, representing 938 locals. Since the last "IA" gathering, two years ago, 29 new locals have been chartered. These are made up of television broadcasting studio employes, projector operators, stage employes, theatrical wardrobe attendants, treasurers and ticket sellers, theatre employes and film exchange employes.

The International convention, scheduled to run a full week in Cleveland's Public Auditorium, will be preceded by 14 district gatherings at Hotel Hollenden, convention headquarters.

US Dollars in Canada

(*Continued from page* 1)

dollars. This is unlike import bans or quotas established to save U. S. exchange in other Canadian industries.

Based on Co-operation Project

However, this free spending of U.S. dollars for Hollywood films is conditioned on the help which the newly-formed Canadian Co-operation Project shall give in solving the exchange problem. The "gentleman's agreement" calls for more location shots in Canada, more features and shorts to be made here, and other contributions by American film interests.

Discussing the cooperative project with leaders of the American industry at the Harvard Club in New York last June 14, Donald Gordon, deputy governor of the Bank of Canada stated that international cooperation is more effective than legal restriction in the situation involving the Dominion government and the American industry. The occasion was a luncheon given to Gordon by the Motion Picture Association.

U S Steps Up 'Angling' of Films

Indicative of the results of this "gentleman's agreement" to avoid any arbitrary cut-off of the Canadian market for Hollywood films is the increased newsreel coverage of Canadian events for U. S. theatres. Likewise, more U. S. shorts are concentrating on Canada. Paramount is currently releasing its new two-reeler, "Neighbor to the North," a documentary. Universal has a short "Snow Capers," featuring winter sports in Canada. Other Canadian shorts in production or about to be released include Warner's "Calgary Stampede," a series on North American cities by Universal, travelogues in the James A. Fitzpatrick series, Movietone's one-reeler on Canada, and others.

New Film Embargo

(*Continued from page* 1)

exhibition in gorging himself on the entire industry." J. W. Davies, chairman, alleged that Rank is seeking to become a common informer against his brother exhibitors and pleaded for a forthright stand by CEA officers at the meeting with Rank on Thursday, in order to avoid a long and bitter struggle which would inevitably weaken the structure of the whole industry.

Members generally took the view that despite their anxiety to encourage British pictures, that will not be possible in view of Rank's present proposed booking terms, and certainly not if production quality is not maintained.

It is understood that negotiations are now proceeding to book a considerable number of American films direct to independent subsequent-run exhibitors here, particularly by Columbia. Discussions have been directed at large-scale bookings and are understood to be progressing. They undoubtedly will be further implemented if Rank fails to concede better terms at his July meeting with the CEA.

Associated British Net Is $2,055,604

LONDON, June 29.—Associated British Picture Corp. had a net profit of 513,901 pounds ($2,055,604) for the year ending March, 1948, against 956,174 pounds ($3,824,696) for 1947. Dividends for 1948 totaled 22½ per cent, compared with 30 per cent in 1947.

Bevin, Lewis Dine But Not on Films

London, June 29.—Foreign Minister Ernest Bevin today lunched with American Ambassador Lewis Douglas, Donald Bliss and other American Government representatives.

It is authoritatively understood that the State Department's "concern" over Britain's new 45 per cent film quota order was mentioned but Embassy officials said only that "We have far more desperate things on our plates than films just now."

Lords Approve

(*Continued from page* 1)

tic about their possibilities of turning out greatly increased schedules and he emphasized that the Quota Act provides exemptions for smaller exhibitors who can satisfy the Board of Trade that they are unable to meet the quota.

His statement is regarded as important, being the first governmental acknowledgement of the independents' case, as well as indication that the Cinematograph Exhibitor Association's agitation against the new quota is bearing fruit already.

Lord Swinton's opposition to the 45 per cent quota hewed mainly to the line that it would encourage British producers to mass production of quota "quickies" at the expense of the British industry at home and abroad. He pointed out that his personal record in securing legislative approval of the original quota against great opposition, when he headed the Board of Trade, acquitted him of any accusation that he is not solicitous of the welfare of British production.

Swinton said his quota act deliberately fixed the quota below the maximum potential of British studios' output, its object being to make it an incentive to British producers to not only fill the quota but to produce films which would be acceptable abroad.

If Wilson's quota plan fails, he said, and Wilson is obliged to reduce the percentage, that will be a bad advertisement for British film quality.

Inferentially criticizing J. Arthur Rank, Swinton said naturally a producer who is also an exhibitor is concerned about his own product, but he is readily able to make appropriate program changes.

Britain Needs Our Best Films; Rank

In informing Boston papers of Universal-International's plans to hold the American premiere of "Hamlet" at the Astor Theatre there on August 13, J. Arthur Rank said that "the finest British pictures should always play in the United States and the finest American pictures should always play in Britain," it was announced here yesterday by U-I, which will distribute the production here.

Rank was further quoted as saying: "I frequently read erroneous reports which might indicate that we here in England feel otherwise. This is far from fact. We want the finest Hollywood pictures always for our public as we hope you will always want ours. We need your good films to bring us closer together and we hope that you will always want ours for the same reason."

20th - Fox Plan

(*Continued from page* 1)

of the conciliation plan since it was accepted by NCA last week.

The endorsement came this morning during a three-hour discussion between Eastern regional representatives and members of N. J. Allied. The consensus was that the plan was workable and constructive and the only question raised was what subjects may be considered by such local committees. The Jersey unit will further discuss the subject at tomorrow's general meeting and at that time will appoint a committee of inquiry to meet with 20th-Fox's general sales manager, Andy Smith, Jr.

Cites 20th-Fox 'Leadership'

"The most important aspect of the plan," said Wilbur Snaper, Allied of New Jersey vice-president-elect, "is the leadership shown by a major company. We hope other companies will follow 20th-Fox. It means we can settle problems without acrimony and the courts."

National Allied endorsement came from Ainsworth, who sat in on the meeting and who announced that "any movement, any idea originating from any branch of this business which is good for this industry, that will bring distributors and exhibitors closer together will have the sincere support of National Allied."

The plan will be taken for consideration to their respective units by Eastern representatives Sidney Heldon, Eastern Pennsylvania; Maxwell Alderman, Connecticut; Julian Rifkin, Massachusetts; Meyer Leventhal, Maryland.

Eastern Seaboard Committee

These four, together with Edward Lachman and Irving Dollinger of New Jersey, also comprise a committee under Leventhal which will meet on Eastern Seaboard problems between conventions and report directly to the national Allied board.

The morning meeting here also discussed television without any conclusion reached.

Lachman Accepts

(*Continued from page* 1)

announced in New York last week that he would not be a candidate because of his entry into the projector lamp carbon field.

Also re-elected at the meeting, held in the Hollywood Hotel here, were Haskell Block, secretary, and Sam Frank, Southern New Jersey vice-president. Elected were: Wilbur Snaper, vice-president; Morris Fogelson, treasurer; Sidney Franklin, assistant treasurer, and Joseph Siccardi, sergeant-at-arms. New directors are Clark Hildinger, David Snaper, Jack Unger and Franklin.

5th and Walnut

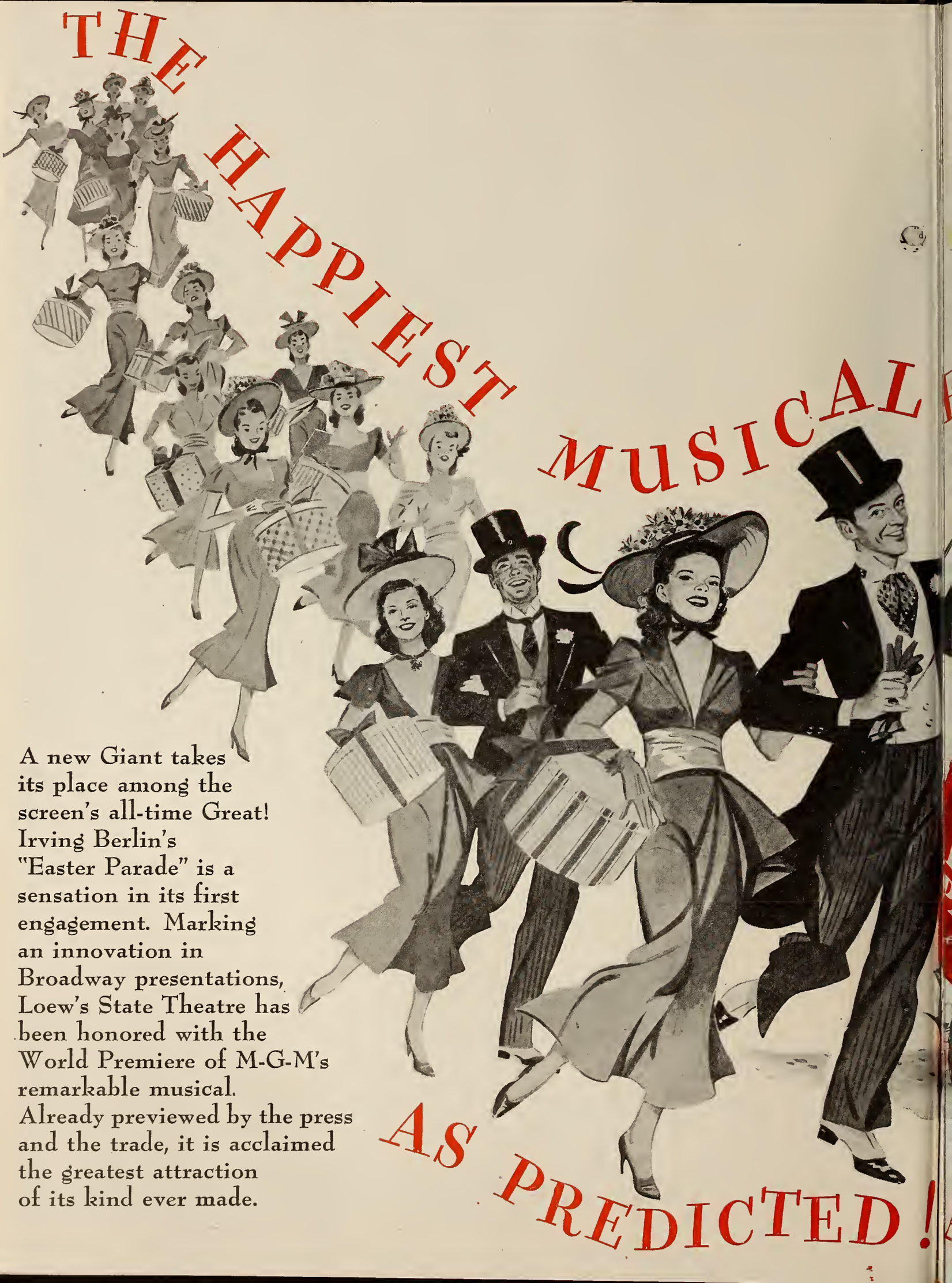
(*Continued from page* 1)

to deny the National Theatre in Louisville access to first-run product. Fifth and Walnut Amusement Corp. operates the house.

Also named as defendants were the Marcus Loew Booking Agency and United Artists Theatre Circuit.

Counsel for the plaintiff was granted until July 5 to serve notice to have the verdict set aside. Motion on the notice is expected to be argued before Judge Leibell on July 9.

THE HAPPIEST MUSICAL



A new Giant takes its place among the screen's all-time Great! Irving Berlin's "Easter Parade" is a sensation in its first engagement. Marking an innovation in Broadway presentations, Loew's State Theatre has been honored with the World Premiere of M-G-M's remarkable musical. Already previewed by the press and the trade, it is acclaimed the greatest attraction of its kind ever made.

AS PREDICTED!

BY SPECIAL ARRANGEMENT
THE MOST IMPORTANT ENGAGEMENT
IN THE HISTORY OF
LOEW'S STATE
Broadway at 45th Street
The World Premiere
NOW PLAYING
of
METRO-GOLDWYN-MAYER'S
OUTSTANDING ACHIEVEMENT... THE MUCH
HERALDED MOTION PICTURE EVENT
The Happiest Musical Ever Made...
IRVING BERLIN'S
EASTER PARADE
starring
JUDY GARLAND · FRED ASTAIRE
PETER LAWFORD · ANN MILLER
COLOR BY Technicolor
Screen Play by Sidney Sheldon, Frances Goodrich and Albert Hackett
Original Story by Frances Goodrich and Albert Hackett
Lyrics and Music by IRVING BERLIN
Musical Numbers Directed by ROBERT ALTON
Directed by CHARLES WALTERS
Produced by ARTHUR FREED
A METRO-GOLDWYN-MAYER PICTURE
EVER MADE!
IRVING BERLIN's
EASTER
PARADE
from M·G·M
A SMASH HIT!

Key City Grosses

FOLLOWING are estimated picture grosses for current engagements in key cities as reported by MOTION PICTURE DAILY *correspondents. Estimates omit admission tax.*

CHICAGO

The much needed "shot-in-the-arm" to strengthen grosses—in this case, reduced admissions in B. and K.'s Loop houses—met with varying degrees of success. Notable is the Skelton-DeWolfe combo at the Chicago, headed for a huge $65,000, or better. Estimated receipts for the week ending July 1st are:

ALL MY SONS (U-I)—PALACE (2,500) (67c-98c) 5 days, 2nd week. **UP IN CENTRAL PARK (U-I)** 2 days. Gross: $16,000. (Average: $21,000)
ARCH OF TRIUMPH (UA)—WOODS (1,080) (98c) 2nd week. Gross: $18,500. (Average: $23,000)
THE BIG PUNCH (WB) and WHISPERING CITY (E-L)—GARRICK (50c-65c-98c). Gross: $9,000. (Average: $10,000)
THE CRUSADES (Para.)—UNITED ARTISTS (50c-65c-98c) 5 days, 2nd week. **B F.'s DAUGHTER (M-G-M)** 2 days. Gross: $15,500. (Average: $20,000)
FIGHTING FATHER DUNNE (RKO Radio)—GRAND (1,150) 5 days, 2nd week. **ANOTHER PART OF THE FOREST (U-I)** 2 days. Gross: $9,500. (Average: $11,500)
FOUR FACES WEST (UA)—APOLLO (1,200) (50c-65c-98c). Gross: $12,000. (Average: $14,000)
THE FULLER BRUSH MAN (Col.)—CHICAGO (3,900) (50c-65c-98c). On stage: Billy De Wolfe. Gross: $65,000. (Average: $40,000)
THE GAY RANCHERO (Rep.)—ORIENTAL (3,300) (98c). On stage: Tex Williams. Gross: $35,000. (Average: $40,000)
MR. BLANDINGS BUILDS HIS DREAM HOUSE (SRO)—STATE LAKE (2,700) (50c-65c-98c). Gross: $29,500. (Average: $30,000)
WALLFLOWER (WB) — ROOSEVELT (1,500) (50c-65c-98c) 5 days. **CORONERS CREEK (Col.)** 2 days. Gross: $10,000. (Average: $18,000)

CLEVELAND

All theatres took a tumble after last week's Jack Benny record. Only picture that stood up against a week of excessive heat was "The Pirate," which hit a better than average take at Loew's Stillman. Estimated receipts for the week ending June 29-30:

ANOTHER PART OF THE FOREST (U-I)—WARNERS' HIPPODROME (3,500) (55c-70c). Gross: $10,000. (Average: $18,250)
BING 'EM BACK ALIVE (RKO Radio)—RKO ALLEN (3,000) (55c-70c). Gross: $10,500. (Average: $13,000)
FLOWING GOLD (WB) and GOD'S COUNTRY AND THE WOMAN (WB)—RKO PALACE (3,300) (55c-70c) 6 days. On stage, Monday night only, Dr. I. Q. Gross: $13,500. (Average: $15,500)
GIVE MY REGARDS TO BROADWAY (20th-Fox)—WARNERS' LAKE (714) (55c-70c) 2nd week on a moveover from the Hippodrome. Gross: $2,500. (Average: $3,000)
MAN OF EVIL (UA)—LOWER MALL (563) (50c-70c). Gross: $2,000. (Average: $2,500)
OLD LOS ANGELES (Rep.)—LOEW'S OHIO (1,268) (50c-70c). Gross: $5,000. (Average: $6,600)
THE PIRATE (M-G-M) — LOEW'S STILLMAN (1,900) (50c-70c) 2nd week, on a moveover from the State. Gross: $12,000. (Average: $10,000)
SUMMER HOLIDAY (M-G-M)—LOEW'S STATE (3,300) (50c-70c). Gross: $15,500. (Average: $19,500)

TORONTO

With school out and the Dominion Day holiday, there was a mild upturn in first-run business. Main opposition in a warm spell was horse racing and baseball. Estimated receipts for the week ending July 1:

ANOTHER PART OF THE FOREST (U-I)—UPTOWN (2,761) (20c-36c-48c-66c-90c) 6 days. Gross: $12,000. (Average: $11,600)
BAMBI (RKO Radio) and CARTOON FESTIVAL—EGLINTON (1,086) (20c-36c-50c-66c) 6 days. Gross: $6,400. (Average: $7,400)
BAMBI (RKO Radio) and CARTOON FESTIVAL—TIVOLI (1,434) (20c-36c-50c-66c) 6 days. Gross: $8,200. (Average: $9,200)
THE FUGITIVE (RKO Radio)—NORTOWN (950) (20c-42c-60c) 6 days. Gross: $6,000. (Average: $6,000)
THE FUGITIVE (RKO Radio)—VICTORIA (1,240) (20c-36c-42c-60c) 6 days. Gross: $6,000. (Average: $6,300)
THE FULLER BRUSH MAN (Col.)—SHEA'S (2,480) (20c-36c-50c-66c-90c) 6 days. Gross: $17,900. (Average: $14,900)
OUT OF THE BLUE (Intl.)—DANFORTH (1,400) (20c-36c-50c-60c) 6 days, 2nd week. Gross: $6,300. (Average: $6,500)
OUT OF THE BLUE (Intl.)—FAIRLAWN (1,195) (20c-36c-50c-55c) 6 days, 2nd week. Gross: $5,300. (Average: $5,500)
THE PIRATE (M-G-M)—LOEW'S (2,074) (20c-36c-48c-66c-78c) 6 days. Gross: $15,200. (Average: $14,200)
TARZAN AND THE MERMAIDS (RKO Radio) and Louis-Walcott Fight Picture—IMPERIAL (3,343) (20c-36c-50c-66c-90c) 6 days. Gross: $17,100. (Average: $14,600)

INDIANAPOLIS

Business is a little firmer at first-run houses here this week. Estimated receipts for the week ending June 29-30:

THE BRIDE GOES WILD (M-G-M) and THE WOMAN FROM TANGIER (Col.)—LOEW'S (2,450) (44c-65c) 2nd week. Gross: $9,000. (Average: $11,000)
FORT APACHE (RKO Radio)—INDIANA (3,200) (44c-65c). Gross: $12,500. (Average: $12,000)
THE NOOSE HANGS HIGH (E-L) and THE COBRA STRIKES (E-L)—CIRCLE (2,800) (44c-65c). Gross: $11,000. (Average: $10,000)
OLD LOS ANGELES (Rep.) and THE TIMBER TRAIL (Rep.)—LYRIC (1,600) (44c-65c). Gross: $5,000. (Average: $6,000)
WALLFLOWER (WB) and VALLEY OF THE GIANTS (WB reissue)—KEITH'S (1,300) (44c-65c). Gross: $4,000. (Average: $4,500)

ATLANTA

With hot and dry weather, business in all theatres is average. Estimated receipts for the week ending June 30:

CALL NORTHSIDE 777 (20th-Fox)—ROXY (2,446) (12c-50c). Moveover from the Fox. Gross: $5,800. (Average: $5,800)
GIVE MY REGARDS TO BROADWAY (20th-Fox)—FOX (4,446) (12c-50c). Gross: $14,000. (Average: $15,000)
HAZARD (Para.)—PARAMOUNT (2,446) (12c-50c). Gross: $6,500. (Average: $5,800)
PIRATE (M-G-M)—LOEW'S GRAND (2,446) (12c-50c). Gross: $14,500. (Average: $15,000)

Review

"Deep Waters"

(*20th Century-Fox*)

FEW film cliches of the "homespun" variety were overlooked in the making of this sepia-tinted perusal of life in a Maine coast lobster-fishing community. But in spite of them it turns out to be a likable picture. Much of its appeal lies in the tender message it conveys on the importance of human understanding in adults' relationships with impressionable children, and also in its mellow appeal for tolerance and kindness. It must have been a happy assignment for producer Samuel G. Engel, director Henry King and an ingratiating cast topped by Dana Andrews, Jean Peters, Cesar Romero, young Dean Stockwell and Anne Revere. The organized exhibitors who are currently engaged in a "youth drive" can point with pride to "Deep Waters," which additionally, appears to be in store for substantial grosses as A-1 family entertainment.

Richard Murphy's screenplay, based on the novel, "Spoonhandle," by Ruth Moore, was filmed for the most part along the rocky coast of Maine where a nor'easter can play havoc with venturesome fishing craft. The appealingly simple story, in brief, concerns fisherman Andrews' understanding affection for orphan Dean and the cross-currents of emotion which are inspired by state welfare worker Peters' apprehensions for the boy's future. The lad has a fisherman's son's love for the sea, and she, notwithstanding her romantic attachment for Andrews, looks with fear upon the fishermen's graves which the sea has become. Distaff audiences are provided with one or two morose sequences, but there are also some chuckles couched in Romero's portrayal of Andrews' Portuguese partner who yearns for a farm. All performances are good.

Running time 85 minutes. General audience classification. For July release.

CHARLES L. FRANKE

Short Subject

"Ireland Today"

(*Irish American Film Corp.*)

This is an 81 minute color travelogue with songs and music intended for Irish audiences in the United States. It will appeal to persons born in Ireland who are glad to have a picture of it and will excuse imperfections. The subject was produced and narrated by John H. Furbay evidently with the blessing of the TWA airline, the Irish Tourist Association, certain motoring interests and the Irish Government.

The color is Kodachrome and is sometimes excellent. The photography ranks at the top of the amateur or the bottom of the professional class. The editing is poor. Seven new songs by Carle and Saunders and sung by Michael Shannon and Julie Conway are dubbed in. While some Irish-Americans will be attracted by the film and entertained, it is a woefully inadequate treatment of 'Ireland Today.'

M.Q. jr.

DuMont to Vote on New Stock Proposal

PASSAIC, N. J., June 29.—Allen B. DuMont Laboratories common stockholders will meet July 22 to vote on a proposal to create an issue of preferred stock which would consist of 150,000 shares five per cent cumulative convertible preferred, par $20. The company would sell at $20 a share.

Spencer on U-I Film

Universal-International has engaged Perry Spencer, the company's former exploitation representative in the South, to handle the territorial premiere of "Feudin', Fussin' and A-Fightin'" on the Tri-States Circuit starting July 8 in Des Moines.

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From the novel "The Man Within" by GRAHAM GREENE • Screenplay by MURIEL and SIDNEY BOX
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